

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA

--000--

STEVEN HUNZIKER, KATE SCHUCHMANN,
AND VIRGINIA SANDERS,

PLAINTIFFS,

VS.

NO. 692629

APPLIED MATERIALS, INC., A DELAWARE
CORPORATION; APPLIED SCHOLASTICS, INC.,
A CALIFORNIA CORPORATION; WORLD
INSTITUTE OF SCIENTOLOGY ENTERPRISES,
A FLORIDA CORPORATION; JAMES MORGAN,
LINDA OXMAN, GLEN TONEY, JAMES DELONG
NANCY DEVITA, ANN BRANNAN, JOHN KANE,
JAMES BAGLEY, INGRID GUDENAS, BOB
JOHNSON, STEVE REA, JIM RYAN, GLEN
SOPP, AND DOES 1 THROUGH 100,
INCLUSIVE,

DEFENDANTS.

COPY

3-26-92

DEPOSITION OF GERALD ARMSTRONG

TUESDAY, MARCH 3, 1992

VOLUME I

(PAGES 1 - 182)

REPORTED BY:

JUDITH S. DOUTHIT, CSR #4531

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DEPOSITION OF GERALD ARMSTRONG

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REPORTER'S CERTIFICATE

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--000--

1 BE IT REMEMBERED THAT, PURSUANT TO NOTICE OF
2 TAKING DEPOSITION, AND ON TUESDAY, MARCH 3, 1992, COMMENCING
3 AT THE HOUR OF 10:25 A.M. THEREOF, AT THE LAW OFFICES OF
4 JOHN CLIFTON ELSTEAD, ESQ., 4900 HOPYARD ROAD, SUITE 240,
5 PLEASANTON, CALIFORNIA 94588, BEFORE ME, JUDITH S. DOUTHIT,
6 CSR #4531, A DULY LICENSED CERTIFIED SHORTHAND REPORTER IN
7 THE STATE OF CALIFORNIA, PERSONALLY APPEARED

8
9 GERALD ARMSTRONG,

10
11 CALLED AS A WITNESS BY THE DEFENDANTS, WHO, HAVING BEEN
12 FIRST DULY SWORN, WAS THEREUPON EXAMINED AND TESTIFIED AS
13 IS HEREINAFTER SET FORTH.

14
15 --OOO--

16
17 LAW OFFICES OF JOHN CLIFTON ELSTEAD, 4900 HOPYARD
18 ROAD, SUITE 240, PLEASANTON, CALIFORNIA 94588, APPEARED AS
19 COUNSEL ON BEHALF OF THE PLAINTIFFS.

20
21 ORRICK, HERRINGTON & SUTCLIFFE, 555 CAPITOL MALL,
22 SACRAMENTO, CALIFORNIA 95814, BY CYNTHIA L. REMMERS, ESQ.,
23 APPEARED AS COUNSEL ON BEHALF OF THE DEFENDANTS.

24
25 ALSO PRESENT: MARIE CAWLEY, ESQ. AND WILLIAM
26 DARDEN, ESQ.

3
EXAMINATION

1
2
3
4 BY MS. REMMERS: Q. CAN YOU PLEASE STATE YOUR
NAME AND ADDRESS FOR THE RECORD?

5 A. GERALD ARMSTRONG, 711 SIR FRANCIS DRAKE
6 BOULEVARD, SAN ANSELMO, CALIFORNIA 94960.

7 Q. IS THAT A BUSINESS ADDRESS?

8 A. YES. BEFORE WE -- YOU WERE GOING TO, ACCORDING
9 TO A LETTER FROM TIMOTHY LONG, YOU WERE GOING TO TENDER ME
10 YOUR . . .

11 Q. RIGHT.

12 A. . . . CHECK BEFORE THE DEPOSITION. SO THAT WOULD
13 BE GOOD.

14 Q. THAT'S FINE. WE CORRECTED THE SPELLING OF YOUR
15 NAME ON A THOUSAND DOLLAR CHECK, TO REFLECT YOUR REQUEST
16 THAT IT BE GERALD, UNLIKE THE JERRY THAT YOU WERE NOTICED AS
17 AN EXPERT. SO THAT'S THE CHECK.

18 A. SO THIS IS IN ANTICIPATION OF A TOTAL OF FOUR
19 HOURS?

20 Q. YEAH, WE MAY GO WELL BEYOND THAT, BUT, AS YOU
21 KNOW, UNDER THE LAW, THEN I JUST HAVE TO TENDER THAT TO YOU
22 WITHIN -- WHAT IS IT? -- FIVE OR TEN DAYS. I'VE FORGOTTEN.

23 SO IF WE GO BEYOND THAT, THAT'S WHAT WE'LL DO.

24 I TAKE IT YOU'VE BROUGHT DOCUMENTS PURSUANT TO
25 OUR DOCUMENT REQUEST?

26 A. YES.

1 Q. WHY DON'T WE TAKE CARE OF THAT AT THE
2 HAVE YOU PUT THEM IN CATEGORIES ACCORDING TO OUR
3 REQUESTS?

4 A. PRETTY MUCH OR I CAN EASILY PULL THEM OUT
5 ACCORDING TO YOUR REQUEST.

6 Q. WHY DON'T YOU TELL ME THEN IF YOU BROUGHT
7 ANYTHING IN RESPONSE TO OUR REQUEST NO. 1 WHICH IS ALL
8 DOCUMENTS THAT PERTAIN TO HUNZIKER, SCHUCHMANN AND/OR
9 SANDERS?

10 A. OKAY, AND I WILL DO THAT.

11 MS. REMMERS: WHY DON'T WE MARK AS EXHIBIT 1 TO
12 THIS DEPOSITION THE NOTICE OF DEPOSITION SO THAT WE HAVE IT,
13 WHICH IS . . .

14 MR. ELSTEAD: I GATHER HE'S FROM YOUR OFFICE?

15 MS. REMMERS: I'M SORRY, THIS IS TOBY DARDEN
16 WHO'S AN ASSOCIATE IN OUR OFFICE.
17 . . . WHICH IS A 7-PAGE DOCUMENT.

18 [SEVEN-PAGE DOCUMENT ENTITLED NOTICE OF
19 DEPOSITION OF JERRY ARMSTRONG WAS MARKED
20 AS DEFENDANT'S EXHIBIT NO. 1 FOR
IDENTIFICATION.]

21 BY MS. REMMERS: Q. MR. ARMSTRONG, LET ME START
22 BY ASKING YOU IF YOU'LL TAKE A LOOK AT WHAT HAS BEEN MARKED
23 AS EXHIBIT 1?

24 A. OKAY.

25 Q. IS THAT THE NOTICE OF DEPOSITION THAT YOU
26 RECEIVED?

1 A. IT APPEARS TO BE.

2 Q. OKAY. SO THEN TURNING TO PAGE, WELL THE THIRD TO ,
3 LAST PAGE WHICH IS MARKED 3, PAGE 3, IT SAYS "DOCUMENTS TO
4 BE PRODUCED" AND I WAS REFERRING TO REQUEST NO. 1.

5 DO YOU SEE THAT?

6 A. OKAY, THEN THAT WOULD BE THIS SET HERE. AND THEY
7 MAY ALSO BE APPLICABLE TO SOME OF THE OTHER NUMBERS, BUT
8 NEVERTHELESS WE CAN TAKE CARE OF THEM.

9 Q. AND YOU'VE GIVEN ME WHAT, ABOUT A FOOT HIGH STACK
10 OF DOCUMENTS HERE?

11 A. MOST OF THOSE DOCUMENTS, I BELIEVE YOU WILL HAVE.
12 BUT IN ANY CASE YOU WILL SIMPLY BE MAKING COPIES AND GIVING
13 THESE BACK TO ME?

14 Q. RIGHT, THAT'S WHAT WE'LL DO.

15 A. OKAY.

16 MR. ELSTEAD: THERE'S A COPY PLACE ABOUT A BLOCK
17 AWAY IF YOU WANT HIM TO RUN OVER AND HAVE THESE COPIED
18 TODAY.

19 MS. REMMERS: YEAH, AT A BREAK WE'LL LOOK OVER
20 THEM AND DECIDE.

21 BY MS. REMMERS: Q. SO WE HAVE FOUR FILE
22 FOLDERS, IF YOU WILL, OF DOCUMENTS THAT YOU SAY ARE
23 RESPONSIVE TO NO. 1. OKAY.

24 WHAT ABOUT NO. 2?

25 A. NO, I'VE PREPARED NONE THUS FAR.

26 Q. DO YOU INTEND TO?

1 A. I MAY. I'M NOT CERTAIN YET.

2 Q. WHEN DO YOU PLAN TO PREPARE A WRITING?

3 A. I WOULD TRY TO DO IT --

4 MR. ELSTEAD: I WOULDN'T --

5 (MR. ELSTEAD CONFERRED WITH THE WITNESS)

6 THE WITNESS: SO I HAVE NOT BEEN ASKED TO PREPARE
7 ANY REPORTS. I DON'T HAVE ANY INTENTION AT THIS TIME OF
8 PREPARING ANY, BUT IF I DO, IT WOULD BE BETWEEN NOW AND
9 TRIAL.

10 MS. REMMERS: WELL, JOHN, IF HE'S GOING TO BE
11 PREPARING, HE SHOULD HAVE DONE SO.

12 MR. ELSTEAD: HE JUST ANSWERED YOUR QUESTION. HE
13 SAID HE'S NOT BEEN ASKED TO.

14 MS. REMMERS: BUT THEN HE SAID IF HE WERE ASKED
15 TO --

16 MR. ELSTEAD: I HAVE NO INTENTION OF ASKING HIM.

17 MS. REMMERS: IS THAT ALSO TRUE OF THE RUMMONDS
18 LAW FIRM? I MEAN YOU'RE HERE REPRESENTING, I UNDERSTAND,
19 BOTH OR ALL PLAINTIFFS.

20 MR. ELSTEAD: THEY'RE NOT GOING TO HAVE HIM
21 PREPARE A REPORT. THERE WILL BE NO WRITTEN REPORTS
22 PREPARED.

23 MS. REMMERS: ALL RIGHT.

24 THE WITNESS: YOU CAN HANG ONTO THAT. I HAVE
25 ANOTHER COPY HERE.

26 MR. ELSTEAD: I DON'T KNOW WHETHER YOU WOULD

1 CONSIDER THIS ENCOMPASSED WITHIN THE "ALL DOCUMENTS." IT'S
2 QUITE CONCEIVABLE, BEFORE HE GETS TO THE STAND TO TESTIFY,
3 AT SOME TIME HE MAY OUTLINE OR MAKE SOME NOTES OF DOCUMENTS,
4 SOMETHING LIKE THAT, BUT NOTHING THAT WON'T BE COVERED IN
5 THIS DEPOSITION.

6 AND HE'S CERTAINLY NOT GOING TO BE ASKED TO GIVE
7 IT TO ME OR PREPARE A REPORT. NOR WILL THE RUMMONDS FIRM BE
8 ASKING HIM TO PREPARE ANY REPORTS OR LETTERS WHICH EXPLAIN
9 HIS OPINIONS OR HIS TESTIMONY OR ANYTHING LIKE THAT. I
10 THINK THAT'S WHAT YOU'RE TALKING ABOUT IN THAT REQUEST.

11 MS. REMMERS: JUST SO WE GET CLEAR WHAT'S GOING
12 ON HERE, MY UNDERSTANDING IS THAT YOU ARE REPRESENTING
13 STEVEN HUNZIKER IN THIS DEPOSITION AS WELL AS YOUR OWN
14 CLIENTS?

15 MR. ELSTEAD: YES, THAT'S RIGHT.

16 BY MS. REMMERS: Q. OKAY. HOW ABOUT REQUEST
17 NO. 3?

18 A. I DON'T HAVE ANY OF THOSE. THAT IS, THERE ARE
19 NONE THAT I KNOW OF.

20 Q. OKAY. DOES THAT MEAN THEY'VE MADE NO PAYMENTS?

21 A. THAT I RECEIVED.

22 Q. "ALL DOCUMENTS, INCLUDING BUT NOT LIMITED TO,
23 CHECK STUBS, INVOICES, BILLS AND RECEIPTS, THAT EVIDENCE,
24 RELATE TO, OR REFER TO ANY PAYMENTS MADE BY PLAINTIFFS TO
25 YOU FROM SEPTEMBER 1ST, 1988 THROUGH THE PRESENT."

26 A. THAT'S CORRECT.

1 Q. THEY HAVE MADE NO PAYMENTS TO YOU, OR THROUGH
2 THEIR LAWYERS HAVE MADE NO PAYMENTS TO YOU?

A. CORRECT.

4 Q. DO YOU ANTICIPATE ANY PAYMENTS FROM ANY OF THE
5 PLAINTIFFS OR THEIR LAWYERS IN THIS ACTION?

6 A. YES.

7 Q. WHAT PAYMENT DO YOU ANTICIPATE?

8 A. I DO NOT KNOW YET. I HAVE NOT COMPLETED MY WORK
9 YET.

10 Q. HAVE YOU PUT IN SOME AMOUNT OF TIME SO FAR?

11 A. YES.

12 Q. HOW MUCH TIME?

13 A. APPROXIMATELY EIGHT HOURS.

14 Q. AND HAVE YOU BILLED PLAINTIFFS OR THEIR LAWYERS
15 FOR THOSE EIGHT HOURS OF WORK?

16 A. NO, I HAVE NOT.

17 Q. BUT YOU WILL?

18 A. YES.

19 Q. AT WHAT HOURLY RATE?

20 A. I'M NOT CERTAIN YET.

21 Q. WELL, HAVE YOU DISCUSSED AN HOURLY RATE WITH
22 COUNSEL IN THIS CASE?

23 A. NO, THE ONLY RATE WHICH HAS BEEN DISCUSSED AT ALL
24 IS THAT WHICH HAS APPEARED ON THE LIST OF EXPERT WITNESSES.
25 THAT WAS 250 AN HOUR.

26 Q. THAT'S WHAT YOU CHARGE FOR BEING IN THIS

1 DEPOSITION?

2 A. YES.

Q. YOU'RE CHARGING APPLIED MATERIALS \$250 AN HOUR?

4 A. YES.

5 Q. WHEN YOU SAY YOU'RE NOT CERTAIN HOW MUCH YOU'RE
6 PLANNING TO CHARGE THE LAWYERS REPRESENTING SANDERS
7 SCHUCHMANN AND HUNZIKER, WHY ARE YOU UNCERTAIN?

8 A. I JUST -- I HAVE NOT MADE A DETERMINATION YET.

9 Q. WHAT FACTORS WILL GO INTO YOUR DETERMINATION?

10 A. TOTAL AMOUNT OF WORK.

11 Q. THAT'S ONE FACTOR. ARE THERE ANY OTHER FACTORS?

12 A. AN UNDERSTANDING OF THE RELATIVE ASSETS OR
13 RELATIVE -- YEAH. AND AN UNDERSTANDING OF THE DANGER
14 INVOLVED.

15 Q. WHAT DO YOU MEAN BY "DANGER"?

16 A. THERE'S SOME RISK ASSOCIATED WITH THIS ACTION.

17 Q. ASSOCIATED WITH WHAT ACTION?

18 MR. ELSTEAD: THIS ACTION HE SAID.

19 BY MS. REMMERS: Q. WELL, WHAT DOES THAT MEAN?

20 MR. ELSTEAD: THIS ACTION, THIS LAWSUIT.

21 MS. REMMERS: I'M ASKING FOR HIS TESTIMONY, JOHN.

22 THE WITNESS: THIS ACTION, LAWSUIT, GENERALLY.
23 SPECIFICALLY, MY TESTIFYING, MY PARTICIPATION ON BEHALF OF
24 THE PLAINTIFFS.

25 BY MS. REMMERS: Q. WHAT DANGER DO YOU SEE?

26 A. THERE'S A RISK BECAUSE OF THE CONNECTION TO

1 SCIENTOLOGY IN THIS LAWSUIT.

2 Q. WHAT IS THE CONNECTION TO SCIENTOLOGY, IN YOUR
3 OPINION?

4 A. IN MY OPINION, THERE WERE SCIENTOLOGY COURSES,
5 WHICH WERE BEING RUN IN APPLIED MATERIALS. THERE WERE
6 SCIENTOLOGISTS INVOLVED IN APPLIED MATERIALS.

7 THE SCIENTOLOGY ORGANIZATION USES TECHNIQUES OF
8 INTIMIDATION, HARASSMENT, LITIGATION, THREAT, AND THOSE ARE
9 PRESENT WHEN SCIENTOLOGY IS INVOLVED IN AN ACTION SUCH AS
10 THIS, IN MY OPINION.

11 Q. SO WHEN YOU SAY "INVOLVED IN AN ACTION SUCH AS
12 THIS," YOU'RE TALKING ABOUT THE FACT THAT IN YOUR OPINION
13 COURSES WERE BEING GIVEN AT APPLIED MATERIALS THAT WERE
14 SCIENTOLOGY COURSES?

15 A. AND THEN IT -- FROM MY INTERVIEW OF THE
16 PLAINTIFFS, THEY WERE DEALT WITH, WHEN THEY PRESENTED THE
17 PROBLEM, IN A WAY WHICH IS CONSISTENT WITH THE WAY
18 SCIENTOLOGY DEALS WITH ITS CRITICS; THAT IS, THEY WERE THE
19 TARGET OF A BLACK PR CAMPAIGN, AND THERE WAS AN ATTACK ON
20 THEM AS INDIVIDUALS RATHER THAN AN UNDERSTANDING OF THEIR
21 LEGITIMATE COMPLAINTS AND DEALING WITH THE LEGITIMATE
22 COMPLAINTS.

23 Q. IS THERE ANYTHING ELSE THAT MAKES YOU BELIEVE
24 THAT SCIENTOLOGY IS CONNECTED WITH THIS LAWSUIT?

25 A. WHEN YOU SAY "CONNECTED WITH" --

26 Q. THAT WAS MY UNDERSTANDING OF WHAT YOU SAID.

1 A. OKAY. THAT IS WHAT I KNOW OF ON THE SURFACE.

2 Q. OKAY. YOU REALIZE THAT THIS LAWSUIT IS BROUGHT
3 BY STEVEN HUNZIKER, VIRGINIA SANDERS AND KATE SCHUCHMANN;
4 CORRECT?

5 A. RIGHT.

6 Q. AND THAT THEY HAVE SUED IN THIS LAWSUIT APPLIED
7 MATERIALS, INCORPORATED?

8 A. RIGHT.

9 Q. THAT THEY HAVE ALSO SUED APPLIED SCHOLASTICS,
10 INCORPORATED; YOU KNOW THAT AS WELL, CORRECT?

11 A. OKAY.

12 Q. YOU KNOW THAT AS WELL?

13 A. I -- I HAVE THE -- ONE OR TWO OF THE COMPLAINTS.

14 Q. AND YOU ALSO KNOW THAT THEY HAVE SUED THE WORLD
15 INSTITUTE OF SCIENTOLOGY ENTERPRISES IN THIS LAWSUIT AS
16 WELL; CORRECT?

17 A. IN THIS COMPLAINT HERE, I DON'T HAVE W.I.S.E.
18 BUT IT MAY BE IN THE OTHER ONE SO --

19 Q. YOU WERE AWARE OF THAT; CORRECT?

20 A. I DON'T BELIEVE SO. I WAS AWARE OF W.I.S.E.'S
21 INVOLVEMENT IN THAT W.I.S.E. RAN A COURSE.

22 MR. ELSTEAD: WERE THEY SERVED?

23 MS. REMMERS: THEY HAVE NOT BEEN SERVED.

24 BY MS. REMMERS: Q. I TURN TO THE FIRST AMENDED
25 COMPLAINT THAT YOU HAVE JUST TURNED OVER IN RESPONSE TO OUR
26 REQUEST NO. 1, WHICH SHOWS, IF YOU'LL LOOK AT IT, THAT THE

1 WORLD INSTITUTE OF SCIENTOLOGY ENTERPRISES IS BEING SUED IN
2 THIS LAWSUIT.

3 DOES THAT REFRESH YOUR RECOLLECTION?

4 A. OKAY, NOW THIS SAYS STEVEN HUNZIKER, PLAINTIFF
5 VERSUS APPLIED MATERIALS, APPLIED SCHOLASTICS, JAMES MORGAN,
6 LINDA OXMAN, GLEN TONEY, JAMES DELONG, NANCY DEVITA, ANN
7 BRANNAN, JOHN KANE AND DOES 1 THROUGH 100.

8 SO THERE MUST BE A DOCUMENT WHICH INCLUDES
9 W.I.S.E. IF W.I.S.E. IS INDEED A DEFENDANT.

10 Q. MAY I SEE THE DOCUMENT?

11 A. YES.

12 MR. ELSTEAD: ISN'T THERE A JOINT COMPLAINT OUT
13 THERE THAT'S FILED?

14 MS. REMMERS: YES, THERE IS.

15 BY MS. REMMERS: Q. LET ME SHOW YOU THE CAPTION
16 OF THE ARBITRATION BRIEF THAT HUNZIKER'S LAWYER PREPARED AND
17 I'LL LOOK FOR THE COMPLAINT.

18 A. OKAY.

19 Q. SO DOES THAT REFRESH YOUR RECOLLECTION THAT THE
20 WORLD INSTITUTE OF SCIENTOLOGY ENTERPRISES IS BEING SUED IN
21 THIS LAWSUIT?

22 MR. ELSTEAD: OBJECTION. HE SAID HE DIDN'T KNOW.
23 IT COULDN'T REFRESH WHAT HE DIDN'T KNOW IN THE FIRST PLACE.
24 YOU ASKED HIM WHETHER OR NOT HE KNEW THEY WERE SUED, AND HE
25 SAID NO HE DID NOT.

26 BY MS. REMMERS: Q. SO THE DOCUMENTS YOU'VE

1 PRODUCED TO US IN RESPONSE TO REQUEST NO. 1, YOU'VE NOT READ
2 IN ITS ENTIRETY?

3 A. I HAVE NOT READ ANY OF THOSE PLEADINGS AT ALL.

4 Q. OKAY. YOU'RE AWARE NOW THAT ONE OF THE
5 DEFENDANTS IN THIS LAWSUIT IS THE WORLD INSTITUTE OF
6 SCIENTOLOGY ENTERPRISES; CORRECT?

7 A. OKAY.

8 Q. YES?

9 A. YES.

10 MR. ELSTEAD: WE'RE AWARE OF IT BECAUSE YOU SAY
11 IT.

12 MS. REMMERS: WELL, HE'S JUST REVIEWED A
13 DOCUMENT --

14 MR. ELSTEAD: HE HASN'T REVIEWED THE JOINT
15 COMPLAINT WHICH IS THE ACTIVE COMPLAINT IN THIS CASE.

16 MS. REMMERS: I'D LIKE TO HAVE MARKED AS EXHIBIT
17 NO. 2 THE CONSOLIDATED FIRST AMENDED COMPLAINT IN THIS
18 ACTION. WE'LL HAVE YOU MARK IT FIRST, THANKS.

19 [26-PAGE DOCUMENT ENTITLED,
20 "CONSOLIDATED FIRST AMENDED COMPLAINT"
21 WAS MARKED AS DEFENDANT'S EXHIBIT NO. 2
22 FOR IDENTIFICATION.]

22 BY MS. REMMERS: Q. LOOKING AT THE CAPTION OF
23 THAT DOCUMENT, DO YOU NOW UNDERSTAND THAT THIS LAWSUIT IS
24 BROUGHT BY STEVEN HUNZIKER, KATE SCHUCHMANN AND VIRGINIA
25 SANDERS AGAINST APPLIED MATERIALS, INCORPORATED, APPLIED
26 SCHOLASTICS, INCORPORATED, WORLD INSTITUTE OF SCIENTOLOGY

1 ENTERPRISES, 13 OTHER INDIVIDUALS, INCLUDING INGRID GUDENAS?

2 MR. ELSTEAD: DON'T ANSWER THE QUESTION AS
3 PHRASED. YOU DON'T HAVE AN UNDERSTANDING ABOUT ANY SUCH
4 THING FROM THE FACE OF THE COMPLAINT.

5 IF YOU WANT TO REPRESENT TO HIM WHICH DEFENDANTS
6 ARE ACTIVE SERVED DEFENDANTS, WHICH ARE GOING TO BE
7 DEFENDANTS AT TRIAL, THAT'S ONE THING. THERE'S NO WAY HE
8 CAN HAVE AN UNDERSTANDING ABOUT THAT LOOKING AT THE FACE OF
9 THE COMPLAINT. IF YOU WANTED TO ASK HIM, DOES HE SEE THE
10 NAME OF THAT, THAT'S FINE.

11 MS. REMMERS: I'M NOT ASKING FOR YOUR TESTIMONY.

12 MR. ELSTEAD: YOU'RE GOING TO GET IT BECAUSE
13 YOU'RE ATTEMPTING TO MISLEAD HIM. YOU'RE ASKING BY LOOKING
14 AT THE FACE OF THE COMPLAINT, HE UNDERSTANDS SOMEBODY IS
15 SUING SOMEBODY. HE CAN'T TELL BY --

16 MS. REMMERS: LET HIM TELL ME THAT, MR. ELSTEAD.

17 MR. ELSTEAD: I'M TELLING HIM NOT TO ANSWER THAT
18 QUESTION. IF YOU WANT TO REPHRASE THE QUESTION, FINE.

19 BY MS. REMMERS: Q. WHAT IS YOUR UNDERSTANDING
20 BASED ON YOUR VAST KNOWLEDGE OF THE LITIGATION AS TO THE
21 LEGAL IMPORT OF WHAT YOU SEE IN THE CAPTION ON EXHIBIT 2?

22 A. IT MEANS THAT A COMPLAINT HAS BEEN WRITTEN AND
23 FILED, WHICH HAS NAMED THESE PEOPLE AS PLAINTIFFS AND
24 DEFENDANTS, THESE PEOPLE, INDIVIDUALS, ENTITIES.

25 Q. ARE YOU FAMILIAR WITH THE WORLD INSTITUTE OF
26 SCIENOTOLOGY ENTERPRISES?

1 A. I'M AWARE OF ITS EXISTENCE. I HAVE HEARD OF ITS
2 EXISTENCE FOR MANY YEARS.

3 Q. ARE YOU FAMILIAR WITH APPLIED SCHOLASTICS,
4 INCORPORATED?

5 A. I HAVE LIKEWISE KNOWN OF APPLIED SCHOLASTICS'
6 EXISTENCE FOR MANY YEARS.

7 Q. OKAY, DO YOU BELIEVE THAT EITHER OF THOSE
8 ENTITIES ARE CONNECTED IN ANY WAY WITH THE CHURCH OF
9 SCIENTOLOGY?

10 A. YES.

11 Q. OKAY. NOW, LET ME UNDERSTAND THE GROUP OF FOUR
12 FILE FOLDERS OF DOCUMENTS YOU PRODUCED IN RESPONSE TO OUR
13 REQUEST NO. 1.

14 AM I TO TAKE IT YOU HAVE NOT READ ANY OF THEM OR
15 JUST THE PLEADINGS THAT YOU PRODUCED? YOU SAID YOU HAD NOT
16 READ ANY OF THE PLEADINGS YOU HANDED TO ME.

17 A. RIGHT, I HAVE NOT READ ANY OF THE PLEADINGS. I
18 HAVE READ THE MAJORITY OF THE OTHER DOCUMENTS, MAJORITY IN
19 TERMS OF PAGES.

20 Q. OKAY. CAN YOU RECALL WHAT OF THE OTHER DOCUMENTS
21 YOU ACTUALLY READ THROUGH?

22 A. I COULD SELECT AND POINT THEM OUT FOR YOU, IF
23 YOU'D LIKE ME TO DO THAT.

24 Q. OKAY. WE'LL DO THAT IN JUST A MINUTE THEN.
25 DO YOU HAVE DOCUMENTS RESPONSIVE TO OUR REQUEST
26 NO. 4?

1 A. NO. 4 WOULD BE THE SET OF DOCUMENTS WHICH I'VE
2 PRODUCED IN RESPONSE TO REQUEST NO. 1 WHICH -- AND ALSO
3 THESE TWO MORE DOCUMENTS. ONE IS PLAINTIFF HUNZIKER'S LIST
4 OF EXPERT WITNESSES, AND THE OTHER ONE IS PLAINTIFFS' EXPERT
5 WITNESSES' DECLARATION. SO THOSE ARE THE OTHER TWO
6 DOCUMENTS.

7 Q. THAT HAVE BEEN PROVIDED BY PLAINTIFFS AND/OR
8 PLAINTIFFS' COUNSEL?

9 A. RIGHT.

10 Q. AND SO THE FOUR FILE FOLDERS YOU PRODUCED IN
11 RESPONSE TO REQUEST NO. 1 IS ALSO RESPONSIVE TO NO. 4, AND
12 PLUS THESE TWO ADDITIONAL DOCUMENTS, IS THE SUM TOTAL OF
13 WHAT YOU HAVE BEEN GIVEN BY PLAINTIFFS AND/OR THEIR LAWYERS?

14 A. RIGHT, YEAH. THERE ARE A COUPLE OF PIECES OF
15 CORRESPONDENCE WHICH HAD TO DO WITH THE SETTING UP OF THIS
16 DEPOSITION, BUT YOU KNOW ABOUT THOSE.

17 Q. WELL, I'M ASKING YOU FOR ALL DOCUMENTS RESPONSIVE
18 TO REQUEST NO. 4 WHICH DOES CALL FOR ANY DOCUMENT WHICH HAS
19 BEEN PROVIDED BY PLAINTIFFS AND/OR PLAINTIFFS' COUNSEL.

20 I NOTICE YOU HAVE A PLEADING IN FRONT OF YOU.
21 IS THAT SOMETHING YOU OBTAINED ON YOUR OWN?

22 A. WHICH ONE ARE YOU TALKING ABOUT? THIS IS ONE YOU
23 JUST HANDED TO ME AS EXHIBIT NO. 2 IN THIS DEPOSITION.

24 Q. THAT'S FINE, WHY DON'T YOU HAND IT BACK TO THE
25 COURT REPORTER THEN, SO IT DOESN'T GET MIXED UP WITH YOUR
26 THINGS.

1 A. OKAY. SO THAT'S ONE FROM YOU. THIS IS ONE FROM
2 YOU.

3 Q. THIS IS A LETTER, FEBRUARY 21ST, 1992, FROM THE
4 RUMMONDS LAW OFFICE?

5 A. RIGHT.

6 Q. AND THIS IS A LETTER FEBRUARY 14TH, 1992 FROM THE
7 RUMMONDS LAW OFFICE?

8 A. RIGHT. OKAY, AND THEN THESE ARE ALSO PART OF
9 THAT SET OF DOCUMENTS THERE.

10 Q. WHICH SET OF DOCUMENTS?

11 A. (NO RESPONSE)

12 Q. MR. ARMSTRONG, WHICH SET OF DOCUMENTS?

13 A. THERE'S ONE OF THESE FILE FOLDERS WHICH HAS
14 SCIENTOLOGY RELATED.

15 Q. THAT'S THE PLEADINGS.

16 A. OKAY, THOSE BELONG IN HERE.

17 Q. THOSE WERE GIVEN TO YOU BY PLAINTIFF AS WELL?

18 A. RIGHT.

19 Q. NOW EVERYTHING ELSE YOU HAVE IN YOUR POSSESSION
20 WAS EITHER GIVEN TO YOU BY ME, THROUGH MY OFFICE, AS A
21 LETTER, OR MATERIAL THAT YOU YOURSELF PROCURED TO HELP YOU
22 FORM YOUR OPINION?

23 A. RIGHT. THE ONLY OTHER THING THAT I HAVE IN
24 RESPONSE, AND WE'LL GET TO THAT, IS MY CURRICULUM VITAE.

25 Q. LOOKING AT REQUEST NO. 5, "ALL DOCUMENTS
26 INCLUDING BUT NOT LIMITED TO CONTRACTS, INVOICES, BILLS AND

1 RECEIPTS, THAT EVIDENCE, RELATE TO, OR REFER TO ANY SERVICES
2 PROVIDED TO YOU BY AMAT, AMAT JAPAN, AND/OR ANY AMAT
3 SUBSIDIARY."

4 YOU HAVE NO SUCH DOCUMENTS?

5 A. RIGHT.

6 Q. HAVE YOU EVER BEEN ENGAGED TO PERFORM ANY SERVICE
7 FOR THEM?

8 A. NOT THAT I KNEW OF.

9 Q. LOOKING AT NO. 6, "ALL DOCUMENTS, INCLUDING BUT
10 NOT LIMITED TO, PHONE LOGS, CALENDARS, AND DATEBOOKS, THAT
11 EVIDENCE, RELATE TO, OR REFER TO ANY COMMUNICATION AND/OR
12 CONTACT BETWEEN YOU AND ANY PRESENT OR PAST EMPLOYEE OF
13 AMAT, AMAT JAPAN, AND/OR ANY AMAT SUBSIDIARY."

14 DO YOU HAVE ANY DOCUMENTS RESPONSIVE TO REQUEST
15 NO. 6?

16 A. NO.

17 Q. DO YOU HAVE ANY DOCUMENTS RESPONSIVE TO REQUEST
18 NO. 7, WHICH IS SIMILAR DOCUMENTS RELATING OR REFERRING TO
19 ANY COMMUNICATION AND/OR CONTACT BETWEEN YOU AND THE
20 PLAINTIFFS, WHICH, OF COURSE, IS THE SUB-SET OF 6?

21 A. THAT'S THE ONLY ONE. THE OTHER LETTER I'VE
22 PRODUCED FOR YOU.

23 Q. OKAY. THIS IS A NOTE.

24 IS THIS YOUR HANDWRITING?

25 A. RIGHT.

26 Q. 2/1992, IT SAYS, "HUNZIKER VERSUS APPLIED

1 MATERIALS." AND YOU'VE JOTTED DOWN SOME NOTES, "CALL TO
2 CAROLYN AT RUMMONDS & MAIR"?

3 A. RIGHT.

4 Q. AND THIS IS YOUR OWN NOTES OF A TELEPHONE
5 CONVERSATION?

6 A. RIGHT.

7 Q. AND THAT'S RESPONSIVE TO REQUEST NO. 6 AND 7, OR
8 JUST 7?

9 A. IT COULD BE RESPONSIVE TO BOTH OF THEM, I GUESS,
10 BUT WE'LL CONSIDER IT 7.

11 Q. REQUEST NO. 8, "ALL DOCUMENTS THAT YOU REVIEWED
12 IN CONNECTION WITH FORMING AN OPINION CONCERNING ANY MATTER
13 IN THIS LAWSUIT."

14 WHAT DOCUMENTS --

15 MR. ELSTEAD: I'M JUST YAWNING. I'M SORRY,
16 DIDN'T MEAN TO DISTRACT YOU.

17 THE WITNESS: I HAVE GONE THROUGH THESE TWO
18 BOOKS. AND BY THE WAY, THIS IS PART OF THAT SET OVER THERE.

19 BY MS. REMMERS: Q. WHICH SET?

20 A. OF ALL OF THAT STUFF WHICH I HAVE RECEIVED FROM
21 THE PLAINTIFFS' LAWYERS.

22 Q. AND I TAKE IT NOW YOU ARE SHOWING ME THE
23 COMPLAINT FOR DAMAGES FILED BY THE HUB LAW OFFICES ON
24 OCTOBER 17TH, 1989?

25 A. RIGHT.

26 Q. AND HAVE YOU NOT READ THIS PLEADING EITHER?

1 A. NO.

2 Q. YOU HAVEN'T READ IT AT ALL?

3 A. NO.

4 Q. OKAY, SO YOUR RESPONSE TO REQUEST NO. 8 IS A BOOK
5 ENTITLED "DIANETICS AND SCIENTOLOGY TECHNICAL DICTIONARY,"
6 BY L. RON HUBBARD, WITH THE LAST COPYRIGHT DATE BEING 1981,
7 PUBLISHED BY BRIDGE PUBLICATIONS, INC. ACTUALLY IT'S THE
8 SIXTH PRINTING, IT LOOKS LIKE, 1982.

9 IS THAT RIGHT?

10 A. YES.

11 Q. SO ARE YOU SAYING THAT YOU READ THIS BOOK IN
12 PREPARATION FOR YOUR EXPERT TESTIMONY IN THIS CASE?

13 A. I REVIEWED IT. I DID NOT READ EVERY WORD IN IT.

14 Q. OKAY. WHAT ELSE DID YOU REVIEW IN CONNECTION
15 WITH FORMING AN OPINION IN THIS CASE?

16 A. THIS BOOK.

17 Q. ALL RIGHT, "MODERN MANAGEMENT TECHNOLOGY
18 DEFINED," BY L. RON HUBBARD, WHICH IS REPRINTED 1986,
19 COPYRIGHT 1976, PUBLISHED BY BRIDGE PUBLICATIONS,
20 INCORPORATED. IT'S GOT A GREEN COVER.

21 IS THAT RIGHT?

22 A. (WITNESS NODS HEAD)

23 Q. DID YOU READ THIS ENTIRE BOOK . . .

24 A. NO.

25 Q. . . . IN PREPARATION FOR YOUR TESTIMONY?

26 A. I REVIEWED IT.

1 Q. WHAT PORTIONS OF IT DID YOU REVIEW?

2 A. SPECIFIC DEFINITIONS INCLUDED IN IT.

3 Q. NOW, IS THERE ANYTHING ELSE THAT YOU REVIEWED IN
4 CONNECTION WITH FORMING AN OPINION CONCERNING ANY MATTER IN
5 THIS LAWSUIT?

6 A. THERE'S A DOCUMENT HERE, AND THE SPECIFIC PART I
7 REVIEWED WAS A DECLARATION BY MARK C. RATHBUN.

8 THE DOCUMENT ITSELF IS A PETITION FOR REHEARING
9 IN THE CASE OF CHURCH OF SCIENTOLOGY OF CALIFORNIA AND MARY
10 SUE HUBBARD AGAINST GERALD ARMSTRONG.

11 BUT I DID NOT REVIEW THE FRONT PART, THE
12 PETITION, BUT RATHER THE ATTACHED DECLARATION.

13 Q. DID YOU REVIEW ANY OTHER MATERIAL WHATSOEVER?

14 A. I HAVE NOT REVIEWED ANY OTHER MATERIALS
15 SPECIFICALLY FOR THIS CASE.

16 BUT WITH REGARDS TO THE FORMING OF AN OPINION, I
17 HAVE HAD SEVERAL YEARS OF INVOLVEMENT WITH THE SCIENTOLOGY
18 ORGANIZATION, AND SO I HAVE IN THE PAST EXAMINED, REVIEWED
19 MANY DOCUMENTS. AND IN PART, I FORMED AN OPINION BASED ON
20 THE MASS OF DOCUMENTS, WHICH I HAVE REVIEWED AT VARIOUS
21 TIMES AND IN VARIOUS LOCATIONS, ALL OF WHICH ARE NOT
22 AVAILABLE TO ME AT THIS TIME, SOME OF WHICH WILL BE
23 AVAILABLE TO ME, AND SOME OF WHICH, MY BEST GUESS IS, WOULD
24 BE USED OR USABLE AT TRIAL.

25 BUT I HAVE NOT SELECTED ANY OTHER DOCUMENTS WHICH
26 I, ALTHOUGH I KNOW ABOUT, HAVE SELECTED FOR MY USE.

1 Q. LET ME UNDERSTAND THIS. ARE YOU SAYING THAT FOR
2 THIS CASE SPECIFICALLY -- YOU SAID THAT YOU HAVE NOT
3 REVIEWED ANY OTHER MATERIALS OTHER THAN WHAT YOU'VE
4 PRODUCED, THESE TWO BOOKS AND THIS DECLARATION . . .

5 A. RIGHT.

6 Q. . . . OF MARK RATHBUN?

7 A. RIGHT.

8 Q. BUT THAT IN FORMING YOUR OPINION, YOU'RE RELYING
9 ON YOUR MEMORY OF MANY OTHER DOCUMENTS?

10 A. IN PART, YES.

11 Q. AND YOU EXPECT -- YOU HAVE NONE OF THOSE
12 DOCUMENTS AVAILABLE TO YOU AT PRESENT?

13 A. NO, I HAVE SOME OF THOSE DOCUMENTS AVAILABLE TO
14 ME. THE MASS OF DOCUMENTS WHICH IS AVAILABLE TO ME, I HAVE
15 NOT GONE THROUGH WITH AN EYE TOWARDS SELECTION OF THOSE ONES
16 UPON WHICH I WOULD BASE MY OPINIONS.

17 Q. WHEN DO YOU INTEND TO DO THAT, MR. ARMSTRONG?

18 A. WELL, I HOPE TO DO IT JUST AS SOON AS POSSIBLE.
19 AS YOU KNOW, THIS HAS ALL BEEN DONE ON A RATHER RUSHED
20 BASIS. AND I'VE TRIED TO FIT IN, WITH ALL THE REST OF THE
21 WORK THAT I MUST DO, MY STUDY OF THIS CASE.

22 MR. ELSTEAD: HOLD ON. WE'LL TAKE A BREAK A
23 MINUTE. COME HERE.

24 EXCUSE ME, CYNTHIA, I'LL BE RIGHT BACK.

25 (MR. ELSTEAD CONFERRED WITH THE WITNESS)

26 MR. ELSTEAD: I'M SORRY. IF I MAY, I WASN'T

1 AWARE OF THIS EITHER. YOUR CHOICE, CYNTHIA, AS TO OTHER
2 DOCUMENTS. YOU CAN EITHER ADJOURN THIS DEPOSITION NOW AND
3 RECONVENE HIM AFTER HE'S HAD TIME TO PICK THESE DOCUMENTS
4 OUT, AND/OR YOU HAVE THE RIGHT TO FINISH HIS DEPOSITION WHEN
5 HE'S DONE WITH --

6 MS. REMMERS: LET'S GO OFF THE RECORD.

7 (DISCUSSION OFF THE RECORD)

8 BY MS. REMMERS: Q. NOW, WHERE ARE THESE
9 DOCUMENTS THAT YOU SAY YOU PRESENTLY HAVE ACCESS TO?

10 A. MOST OF THEM ARE IN LOS ANGELES.

11 Q. WHERE?

12 A. I HESITATE AT THIS TIME TO PROVIDE THAT
13 INFORMATION.

14 Q. WELL, I'M SORRY, BUT WE'RE ENTITLED TO KNOW WHERE
15 THEY ARE.

16 MR. ELSTEAD: NO, YOU'RE NOT.

17 BY MS. REMMERS: Q. ARE THESE DOCUMENTS IN YOUR
18 POSSESSION OR CONTROL?

19 MR. ELSTEAD: EXCUSE ME, PLEASE STOP. DON'T MAKE
20 MISREPRESENTATIONS TO HIM. YOU'RE NOT ENTITLED TO KNOW
21 WHERE THESE DOCUMENTS ARE.

22 YOU'RE ENTITLED TO SEE THE DOCUMENTS. YOU ARE,
23 ABSOLUTELY, AND WE'RE GOING TO MAKE SURE YOU GET THEM AND
24 YOU HAVE A COMPLETE OPPORTUNITY TO DEPOSE HIM ON THEM.

25 BUT DON'T SAY TO THIS WITNESS, "I'M SORRY, WE
26 HAVE THE RIGHT TO KNOW WHERE THEY ARE," BECAUSE YOU DON'T.

1 BY MS. REMMERS: Q. WELL, LET ME PUT IT THIS
2 WAY: THESE DOCUMENTS ARE IN YOUR CONTROL; YOU COULD HAVE
3 ACCESS TO THEM, AS YOU SAID, NOW?

4 A. SOME OF THESE DOCUMENTS ARE IN MY CONTROL.

5 Q. WHAT ARE THOSE DOCUMENTS THAT ARE IN YOUR
6 CONTROL? NAME, GENERICALLY, THE TYPES OF DOCUMENTS YOU'RE
7 TALKING ABOUT.

8 A. SCIENTOLOGY POLICIES, DOCUMENTS RELATING TO THE
9 HISTORY OF L. RON HUBBARD, DOCUMENTS RELATING TO ACTS OF
10 FAIR GAME. THERE ARE A NUMBER OF THOSE CATEGORIES OF
11 DOCUMENTS WHICH I HAVE ACCESS TO NOW.

12 THERE ARE OTHER ONES WHICH I CONSIDER --

13 Q. SLOW DOWN FOR A MINUTE.

14 OTHER THAN SCIENTOLOGY POLICIES, THE HISTORY OF
15 L. RON HUBBARD, AND ACTS OF FAIR GAME, WHAT OTHER KINDS OF
16 DOCUMENTS DO YOU HAVE ACCESS TO NOW THAT YOU ARE GOING TO
17 LOOK AT TO REVIEW FOR THIS CASE?

18 A. THOSE ARE PRINCIPALLY IT.

19 Q. WELL, PRINCIPALLY.

20 IS THERE ANYTHING IN ADDITION?

21 A. I CAN'T THINK OF ANOTHER CATEGORY.

22 Q. NOW, WHAT ARE THE CATEGORIES OF THE DOCUMENTS
23 THAT YOU BELIEVE WILL BECOME AVAILABLE TO YOU BEFORE TRIAL
24 THAT YOU WILL REVIEW?

25 A. SAME THING, SAME CLASSES OF DOCUMENTS, AND
26 DOCUMENTS MORE SPECIFIC TO THE CONTROL OF APPLIED

1 SCHOLASTICS BY SCIENTOLOGY.

2 Q. WHO HAS POSSESSION OF THE DOCUMENTS THAT YOU DO
3 NOT HAVE CONTROL OF NOW?

4 A. I DO NOT FEEL AT LIBERTY TO DIVULGE THAT
5 INFORMATION.

6 MR. ELSTEAD: RIGHT OF PRIVACY.

7 BY MS. REMMERS: Q. WHEN DO YOU EXPECT TO OBTAIN
8 THESE DOCUMENTS?

9 A. WITHIN THE NEXT TWO WEEKS.

10 Q. AND WHAT DOCUMENTS -- WELL, WHO HAVE YOU ASKED TO
11 ASSIST YOU IN GATHERING THIS MATERIAL?

12 A. I'VE NOT ASKED ANYONE.

13 Q. YOU'VE NOT ASKED ANYBODY TO SEND YOU DOCUMENTS?

14 A. RIGHT.

15 Q. OR ASSIST YOU?

16 A. RIGHT.

17 Q. SO THAT YOU'RE AWARE OF WHERE THESE DOCUMENTS
18 ARE, AND YOU YOURSELF WILL JUST GO AND RETRIEVE THEM?

19 A. I WILL COMMUNICATE TO THE PEOPLE WHO PRESENTLY
20 POSSESS THEM.

21 Q. AND WHAT DOCUMENTS DO YOU EXPECT TO RETRIEVE THAT
22 WILL SHOW, AS YOU'VE PUT IT, THE SPECIFIC CONTROL OF APPLIED
23 SCHOLASTICS BY SCIENTOLOGY?

24 MR. ELSTEAD: ARE YOU ASKING GENERICALLY AGAIN?

25 BY MS. REMMER: Q. I SAID, WHAT SPECIFIC
26 DOCUMENTS DO YOU EXPECT TO RETRIEVE?

6
1 A. DOCUMENTS WHICH SHOW GUARDIAN'S OFFICE CONTROL OF
2 APPLIED SCHOLASTICS AND THE USE OF APPLIED SCHOLASTICS AS AN
3 INROAD FOR THE SOCIAL COORDINATION BUREAU OF THE GUARDIAN'S
4 OFFICE.

5 Q. WHAT MAKES YOU BELIEVE THERE IS SUCH A DOCUMENT?

6 A. I WAS POSTED WITHIN THE GUARDIAN'S OFFICE. I WAS
7 AWARE THAT THE GUARDIAN'S OFFICE SOCIAL COORDINATION BUREAU
8 WAS RESPONSIBLE FOR APPLIED SCHOLASTICS, AND THAT APPLIED
9 SCHOLASTICS AT THAT TIME FELL ON THE ORG BOARD, O-R-G
10 B-O-A-R-D, FELL ON THE ORG BOARD UNDER THE SOCIAL
11 COORDINATION BUREAU OF THE G-O, GUARDIAN'S OFFICE.

12 Q. WHEN WAS THE LAST TIME YOU WERE INVOLVED AS --
13 WELL, LET ME ASK YOU:

14 WERE YOU A MEMBER OF THE CHURCH OF SCIENTOLOGY,
15 AS YOUR NOTICE OF EXPERT DESIGNATION SAYS?

16 A. YES.

17 Q. WHEN WERE YOU A MEMBER OF THE CHURCH OF
18 SCIENTOLOGY?

19 A. 1969 THROUGH DECEMBER 1981.

20 Q. SO SINCE DECEMBER 1981, YOU HAVE NOT BEEN A
21 MEMBER OF THE CHURCH OF SCIENTOLOGY?

22 A. CORRECT.

23 Q. SO YOUR LAST PERSONAL KNOWLEDGE OF THE
24 RELATIONSHIP BETWEEN APPLIED SCHOLASTICS AND THE CHURCH OF
25 SCIENTOLOGY IS DECEMBER 1981?

26 A. YES.

1 Q. WHEN WERE YOU IN THE GUARDIAN'S OFFICE?

2 A. I WAS FORMALLY POSTED THERE IN 1975.

3 Q. AND HOW LONG WERE YOU IN THE GUARDIAN'S OFFICE?

4 A. ON THAT OCCASION, I BELIEVE A MATTER OF A COUPLE
5 OF MONTHS.

6 Q. AND YOU HAD OTHER OCCASIONS?

7 A. I WAS CONNECTED WITH THE GUARDIAN'S OFFICE ON
8 BOARD THE SHIP, WHERE I WAS THE INTELLIGENCE OFFICER IN
9 1975 -- '74, '75. AND THERE WAS A GUARDIAN'S OFFICE UNIT ON
10 BOARD, AND I WAS ESSENTIALLY PART OF THAT -- WE TRAINED ON
11 GUARDIAN'S OFFICE CHECK SHEETS.

12 Q. AND HOW LONG WERE YOU INVOLVED -- I TAKE IT YOU
13 WERE NOT DIRECTLY ASSIGNED TO THE GUARDIAN'S OFFICE,
14 CORRECT, ON THE SHIP?

15 A. RIGHT, BECAUSE WE WERE SEA ORG PERSONNEL ON THE
16 SHIP. AND THE GUARDIAN'S OFFICE AT THAT TIME WAS NON-SEA
17 ORG. SO WE PERFORMED THE SEA ORG FUNCTION OF THE GUARDIAN'S
18 OFFICE ON BOARD.

19 AND THEN IN 1981 --

20 Q. WHEN WAS THAT?

21 A. 1974, '75.

22 Q. BOTH FULL YEARS?

23 A. FROM THE TIME THE G-O CAME ON BOARD IN THE FALL
24 OF 1974 THROUGH THE FALL OF '75.

25 Q. SO ONE YEAR, YOU WERE INVOLVED?

26 A. RIGHT. AND THEN 1981 --.

1 Q. LET ME ASK YOU: DID THAT BRING YOU IN CONTACT IN
2 SOME WAY WITH APPLIED SCHOLASTICS IN THE FALL OF 1974
3 THROUGH THE FALL OF 1975?

4 A. ONLY AT THAT -- ONLY IN THE SENSE THAT APPLIED
5 SCHOLASTICS WAS ON THE GUARDIAN'S OFFICE ORG BOARD. I HAD
6 COME IN CONTACT WITH APPLIED SCHOLASTICS BEFORE THEN.
7 APPLIED SCHOLASTICS WAS KNOWN AS AN ORGANIZATION UTILIZING
8 HUBBARD'S STUDY TECHNOLOGY AND GETTING IT IMPLEMENTED IN
9 NON-SCIENTOLOGY CONTEXTS.

10 WE HAD -- AT ONE TIME IN MY SEA ORG CAREER, WE
11 USED APPLIED SCHOLASTICS BOOKLETS. WHILE IN THE SEA ORG, AN
12 APPLIED SCHOLASTICS BOOKLET WAS AT ONE TIME, AND THIS WAS
13 JUST IN THE SEA ORG UNITS IN WHICH I WAS CONNECTED WITH, WAS
14 USED AS A STUDY MANUAL.

15 Q. WHAT WAS THE TITLE OF THE BOOKLET THAT YOU USED?

16 A. I DON'T RECALL THE EXACT TITLE. IT WAS RED AND
17 BLACK IN COLOR.

18 Q. WHAT WAS THE CONTENT?

19 A. IT HAD TO DO -- IT WAS HUBBARD'S STUDY
20 TECHNOLOGY.

21 Q. WHAT PARTICULAR STUDY TECHNOLOGY?

22 A. THE MISUNDERSTOOD WORD PHENOMENON, WORD CLEARING,
23 THE BARRIERS TO STUDY. IT INCLUDED THE BASIC HUBBARD
24 BULLETINS ON THE SUBJECT OF STUDY AND HIS STUDY TECHNOLOGY.
25 IT WAS A RESTATEMENT OF THE SAME INFORMATION WHICH WAS
26 CONTAINED IN HUBBARD'S TECHNICAL BULLETINS ON THE SUBJECT.

1 Q. IS THAT THE ONLY APPLIED SCHOLASTICS MATERIAL
2 THAT YOU'VE EVER REVIEWED?

3 A. OTHER THAN WHAT THE MATERIAL IS WHICH IS INCLUDED
4 IN THAT STACK OF MATERIAL WHICH I WAS GIVEN BY THE
5 PLAINTIFFS' LAWYERS.

6 Q. OKAY. AND SO YOU REVIEWED THIS APPLIED
7 SCHOLASTICS BOOKLET SOMETIME BETWEEN THE FALL OF '74 AND THE
8 FALL OF '75?

9 A. OH, THAT ONE TIME?

10 Q. YEAH.

11 A. MY RECOLLECTION IS THAT THE TIME THAT THIS WAS
12 UTILIZED WAS '76 AND '77, AND THEN LATER IN '78 AND '79.
13 AND THIS WAS, FIRST OF ALL, IN CLEARWATER, FLORIDA, AND,
14 SECOND, IN GILMAN HOTSPRINGS, CALIFORNIA.

15 Q. I'M ASKING YOU, MR. ARMSTRONG, WHEN YOU READ THAT
16 BOOKLET?

17 A. YES, THOSE TIMES.

18 Q. IN 1976. BUT WHEN APPROXIMATELY IN 1976?

19 A. LATE '76. SOMETIME IN '77.

20 Q. AND THEN YOU REFRESHED YOURSELF WITH THE SAME
21 BOOKLET AGAIN IN '78 OR '79?

22 A. RIGHT.

23 Q. DO YOU REMEMBER WHETHER IT WAS IN '78 OR '79?

24 A. I DON'T RECALL THE EXACT TIME. IT WAS USED IN
25 THE UNIT THAT I WAS ASSIGNED TO.

26 Q. AND WHEN YOU SAY "USED," WHAT DO YOU MEAN BY

1 USED?

2 A. AS A STUDY MANUAL.

3 Q. TO HELP PEOPLE IMPROVE THEIR STUDY SKILLS?

4 A. AS A NECESSARY STEP TO THE SCIENTOLOGY PROGRAM IN
5 WHICH I WAS INVOLVED.

6 Q. WHEN YOU SAY AS A NECESSARY STEP TO THE
7 SCIENTOLOGY PROGRAM YOU WERE INVOLVED IN, WHAT DO YOU MEAN
8 "NECESSARY STEP"?

9 A. ON THOSE TWO OCCASIONS I WAS ASSIGNED TO A
10 SCIENTOLOGY UNIT CALLED THE RPF, OR REHABILITATION PROJECT
11 FORCE, WHICH WAS A PART OF THE SCIENTOLOGY PRISON SYSTEM.

12 AND IN ORDER TO GET OUT OF THE RPF, EACH PERSON
13 ASSIGNED HAD TO GO THROUGH A SET OF STEPS AND PERFORM
14 SPECIFIC FUNCTIONS WHICH REQUIRED TRAINING, AUDITING, STUDY.

15 Q. WHEN YOU SAY PART OF THE PRISON SYSTEM, WHAT DO
16 YOU MEAN BY THAT?

17 A. HUBBARD CREATED A SYSTEM OF UNITS CALLED THE RPF,
18 REHABILITATION PROJECT FORCE, TO WHICH MEMBERS OF THE
19 ORGANIZATION WERE ASSIGNED IF THEY WERE WHAT HE CONSIDERED
20 COUNTERINTENTION TO WHATEVER HE WANTED.

21 Q. SO I TAKE IT YOU WERE ASSIGNED TO RPF?

22 A. RIGHT.

23 Q. AND WHY WERE YOU ASSIGNED TO RPF; DO YOU KNOW?

24 A. THE FIRST TIME I WAS ASSIGNED BECAUSE I HAD A --
25 AN ARGUMENT WITH MARY SUE HUBBARD'S SECRETARY, NIKKI MERWIN.
26 AND THE SECOND TIME I WAS ASSIGNED BECAUSE

1 HUBBARD CONSIDERED THAT I WAS JOKING.

2 Q. WHAT WAS YOUR ARGUMENT ABOUT WITH MARY SUE
3 HUBBARD'S SECRETARY?

4 A. IT HAD TO DO WITH HER CONTROL AND BACK-STABBING.

5 Q. WHEN YOU SAY HUBBARD THOUGHT YOU WERE JOKING,
6 THOUGHT YOU WERE JOKING ABOUT WHAT?

7 A. HIS MOVIES.

8 Q. WHAT MOVIES?

9 A. IN 1978 WE WERE MAKING MOVIES IN SOUTHERN
10 CALIFORNIA, IN LA QUINTA. AND THEY WERE WHAT HE CALLED
11 TECHNICAL MOVIES; THAT IS, THEY WERE MADE TO DEMONSTRATE
12 CERTAIN PROCEDURES, CERTAIN ASPECTS OF HUBBARD'S TECHNOLOGY.
13 AND IT WAS ABOUT THOSE MOVIES THAT HE CONSIDERED I JOKED.

14 Q. HE OVERHEARD YOU SAYING SOMETHING HE THOUGHT WAS
15 A JOKE?

16 A. NO. HUBBARD WAS SICK AT THE TIME AND --

17 Q. PHYSICALLY SICK?

18 A. RIGHT. AND DURING THE TIME WHEN HE WAS
19 PHYSICALLY SICK, THE MOVIE PRODUCTION CREW SHUT DOWN
20 OPERATIONS AND WE, EACH PERSON ON HIS PARTICULAR JOB, JUST
21 TRAINED FOR A FEW DAYS.

22 AND ON THIS PARTICULAR DAY, WE WERE ASKED TO SEND
23 UP A VIDEO, SORT OF A SPONTANEOUS VIDEO, FOR HIM TO REVIEW.
24 AND THE VIDEO WHICH WAS SELECTED WAS TO SHOW ONE OF THE
25 LIGHTING PERSONNEL SETTING UP AND SETTING DOWN A LIGHT
26 RAPIDLY. HE LIKED THINGS DONE EXTREMELY RAPIDLY, AND THIS

1 VIDEO WAS DESIGNED TO SHOW HOW RAPIDLY THE LIGHTS WERE BEING
2 SET UP AND SET DOWN.

3 AND I GOT THE JOB AS THE ANNOUNCER. AND I
4 ANNOUNCED IT, AND HE DIDN'T LIKE THE WAY I ANNOUNCED IT. HE
5 THOUGHT THAT I WAS JOKING. SO HE ASSIGNED ME TO THE RPF.

6 Q. AND HOW LONG WERE YOU ASSIGNED TO THE RPF?

7 A. ON THAT OCCASION, EIGHT MONTHS.

8 Q. AND THE PRIOR OCCASION?

9 A. 17 MONTHS.

10 Q. AND IN THE RPF, DID YOU CONTINUE TO RECEIVE A
11 SALARY?

12 A. IN THE RPF, YOU RECEIVE A QUARTER SALARY. SO AT
13 THAT TIME I WAS MAKING 17.20 A WEEK. SO I ENDED UP
14 RECEIVING \$4.30 A WEEK.

15 Q. AND YOU CONTINUED TO GET ROOM AND BOARD?

16 A. RIGHT.

17 Q. WAS YOUR FREEDOM OF MOVEMENT RESTRICTED?

18 A. YES. AND ROOM WAS NOT WHAT IT HAD BEEN. THERE
19 WERE -- TO BEGIN WITH, I SLEPT IN THE BATHROOM OF THE
20 LAUNDRY ROOM IN THE FORT HARRISON HOTEL IN CLEARWATER. AND
21 THEN WE MOVED TO A STORAGE ROOM ON THE 10TH FLOOR. AND THEN
22 WE MOVED TO --

23 Q. WHEN YOU SAY "WE," WHO DO YOU MEAN?

24 A. WELL, THE RPF BEGAN WITH ME; AND AT THAT TIME
25 THERE WAS JUST ME AND MY WIFE OF THE TIME.

26 Q. SO YOU WERE THE ONLY TWO ASSIGNED TO THIS UNIT?

1 A. RIGHT, AND THEN IT GREW -- TO WHEN I GOT OUT OF
2 THE RPF, THERE WERE APPROXIMATELY A HUNDRED MEMBERS ASSIGNED
3 TO IT. AND AT THAT TIME WE SLEPT, MOST OF US, IN THE FOURTH
4 FLOOR GARAGE PARKING STRUCTURE OF THE FORT HARRISON HOTEL,
5 OR IN A STORAGE ROOM.

6 Q. SO YOU SLEPT IN AN OUTDOOR GARAGE?

7 A. PART OF US SLEPT INDOOR. PART OF US SLEPT
8 OUTDOOR.

9 Q. PART OF YOU?

10 A. OF THE HUNDRED.

11 Q. AND YOU GOT OUT OF THIS UNIT.

12 BUT YOU WERE ALLOWED TO COME AND GO FROM THE
13 BUILDING?

14 A. NO.

15 Q. YOU WERE RESTRICTED TO THE BUILDING?

16 A. RIGHT.

17 Q. LOCKED UP?

18 A. THERE WERE TIMES WHEN ONE WAS GUARDED. AND THE
19 CONDITIONS SHIFTED AS ONE BECAME TRUSTED; THEN ONE HAD
20 ACCESS TO CERTAIN AREAS. ONE DIDN'T HAVE ACCESS TO ALL
21 AREAS. ONE WAS NOT ABLE TO COMMUNICATE WITH NON-RPF
22 MEMBERS. SO COMMUNICATION WAS RESTRICTED AND MOVEMENT WAS
23 RESTRICTED.

24 Q. BUT COULD YOU LEAVE THE BUILDING IF YOU WANTED
25 TO?

26 A. NO.

1 Q. THERE WAS A LOCKED DOOR, GUARD, WHAT, TO PREVENT
2 YOU FROM LEAVING?

3 A. ON SOME -- IN SOME CASES, YOU WERE GUARDED. IN
4 SOME CASES, IF YOU LEFT, WE HAD PACKS OF PEOPLE TO GO
5 RETRIEVE PEOPLE WHO FLED. YOU WERE NOT PERMITTED TO LEAVE.
6 PEOPLE DID FLEE SUCCESSFULLY.

7 Q. BUT YOU DID NOT?

8 A. NOT AT THAT TIME.

9 Q. AND SO YOU DID REVIEW THE APPLIED SCHOLASTICS
10 BOOKLET, THE SAME BOOKLET, ON TWO DIFFERENT OCCASIONS WHEN
11 YOU WERE IN THEIR UNIT?

12 A. RIGHT, THIS PARTICULAR BOOKLET THAT I HAVE A
13 MEMORY OF WAS IN THE ORGANIZATION AND USED IN THE
14 ORGANIZATION AND WAS WIDELY AVAILABLE. AND WHEN I SAY "THE
15 ORGANIZATION," I'M REFERRING THERE TO SEA ORGANIZATION UNITS
16 THAT I WAS ATTACHED TO.

17 Q. OTHER THAN THE PARTICULAR UNIT YOU'VE BEEN
18 DESCRIBING?

19 A. WELL, WITHIN THAT UNIT, WE ALSO HAD THOSE BOOKS,
20 BOOKLETS.

21 Q. RIGHT, BUT THE GREATER SEA ORG ALSO HAD ACCESS TO
22 THOSE BOOKLETS?

23 A. RIGHT.

24 Q. BUT THE TIMES YOU RECALL READING ANYTHING BY
25 APPLIED SCHOLASTICS, IT WAS WHEN YOU WERE ASSIGNED TO THIS
26 UNIT, THE RPF?

1 A. RIGHT.

2 Q. AND DID YOU HAVE A TRAINER THAT ASSISTED YOU WITH
3 GETTING THROUGH THAT MATERIAL?

4 A. IT COULD BE, BUT I HAVE NO RECOLLECTION.
5 SUPERVISORS IS WHAT THEY WERE CALLED.

6 Q. LET'S GO BACK THEN, AND WE'LL GET INTO SOME OF
7 THIS IN GREATER DETAIL.

8 OTHER THAN WHAT YOU'VE PRODUCED SO FAR, THE TWO
9 BOOKS, AND YOU SAY YOU DID REVIEW SOME OF THE MATERIAL YOU
10 PRODUCED IN RESPONSE TO REQUEST NO. 1, YOU HAVE REVIEWED NO
11 OTHER MATERIALS IN PREPARATION FOR YOUR TESTIMONY; RIGHT?

12 A. RIGHT.

13 Q. OKAY. HOW ABOUT REQUEST NO. 9, "ALL DOCUMENTS
14 THAT CONSTITUTE, EVIDENCE, RELATE TO, OR REFER TO ANY
15 INVESTIGATION, STUDY AND/OR RESEARCH PERFORMED BY YOU AND/OR
16 YOUR AGENTS IN CONNECTION WITH THIS LAWSUIT."

17 DO YOU HAVE ANY DOCUMENTS THAT EVIDENCE THAT
18 OTHER THAN WHAT YOU'VE PRODUCED?

19 A. NO.

20 Q. THEN REQUEST NO. 10, "ALL DOCUMENTS THAT
21 CONSTITUTE, EVIDENCE, RELATE TO, OR REFER TO ANY OPINION
22 FORMED BY YOU AND/OR YOUR AGENTS IN CONNECTION WITH THIS
23 LAWSUIT."

24 IS THERE ANYTHING IN WRITING THAT RELATES IN ANY
25 WAY TO YOUR OPINION?

26 A. AGAIN, THAT'S THE DOCUMENTS WHICH I HAVE REVIEWED

1 OR STUDIED FROM THE BEGINNING OF MY TIME IN SCIENTOLOGY, ARE
2 WHAT, IN PART, I RELY UPON TO FORM MY OPINION. ALL -- NOT
3 ALL OF THOSE DOCUMENTS ARE AVAILABLE TO ME. SOME OF THOSE
4 DOCUMENTS ARE AVAILABLE TO ME. SOME OF THOSE DOCUMENTS, I
5 WILL DO WHAT IS POSSIBLE TO ACQUIRE BEFORE TRIAL OR WITHIN
6 THE NEXT TWO WEEKS.

7 Q. OKAY, BUT YOU HAVE --

8 A. BUT THE MASSIVE DOCUMENTS WHICH I HAVE REVIEWED
9 OR STUDIED SINCE THE BEGINNING OF MY TIME IN SCIENTOLOGY, IT
10 WOULDN'T MAKE SENSE, AND I DON'T THINK IT'S POSSIBLE TO
11 PRODUCE ALL OF THOSE DOCUMENTS. WE'RE TALKING ABOUT
12 PROBABLY MILLIONS OF PAGES.

13 Q. WELL, ANY DOCUMENTS THAT YOU RELY ON, AS YOU
14 KNOW, TO FORM YOUR EXPERT OPINION IN THIS CASE, WE'RE
15 ENTITLED TO SEE.

16 A. I CERTAINLY WILL DO WHATEVER I CAN TO ACQUIRE
17 THOSE DOCUMENTS WHICH I THINK ARE RELEVANT TO THIS CASE.

18 Q. NOW, LOOKING AT REQUEST NO. 11, "ALL DOCUMENTS
19 WHICH YOU MAINTAIN EVIDENCE YOUR QUALIFICATIONS TO TESTIFY
20 AS AN EXPERT WITNESS IN THIS LAWSUIT, INCLUDING BUT NOT
21 LIMITED TO, YOUR CURRICULUM VITAE AND/OR RESUME."

22 HAVE YOU BROUGHT DOCUMENTS RESPONSIVE TO REQUEST
23 NO. 11?

24 A. I BROUGHT THIS, AND WE CAN GO OVER OTHER
25 DOCUMENTS AS WELL. YOU CAN HAVE THAT.

26 Q. THIS IS A 2-PAGE DOCUMENT ENTITLED "CURRICULUM

1 VITAE" WHICH I'D LIKE -- DO YOU HAVE AN EXTRA COPY OF THIS?

2 A. I DON'T KNOW HOW MANY COPIES I'VE GOT HERE. I
3 THINK THAT'S --

4 Q. IF YOU HAVE AN EXTRA ONE, WHAT WE'LL DO IS MARK
5 THIS AS AN EXHIBIT AND YOU CAN GIVE ME ONE TO WORK FROM.

6 A. THERE YOU GO.

7 MS. REMMERS: GOOD. THIS IS A 2-PAGE DOCUMENT
8 THAT IS YOUR CURRICULUM VITAE.

9 [2-PAGE DOCUMENT ENTITLED CURRICULUM
10 VITAE WAS MARKED AS DEFENDANT'S EXHIBIT
11 NO. 3 FOR IDENTIFICATION.]

12 BY MS. REMMERS: Q. WHEN DID YOU PREPARE THIS?

13 A. LAST NIGHT.

14 Q. YOU TYPED IT YOURSELF?

15 A. YES.

16 Q. HAVE YOU EVER HAD A CURRICULUM VITAE BEFORE?

17 A. NO.

18 Q. FIRST TIME IN YOUR LIFE?

19 A. YES.

20 Q. IS ALL THE INFORMATION ON THESE TWO PAGES
21 ACCURATE?

22 A. YES.

23 Q. NOW, ARE THERE ANY OTHER DOCUMENTS WHATSOEVER
24 THAT EVIDENCE YOUR QUALIFICATIONS TO TESTIFY AS AN EXPERT
25 WITNESS IN THIS LAWSUIT?

26 A. IN CONSIDERING, I DID CONSIDER AND SEE WHETHER OR

1 NOT YOU FIND THIS APPLICABLE OR NOT, BUT I HAVE WRITTEN A
2 GREAT NUMBER OF DECLARATIONS WITH REGARDS TO THIS SUBJECT.
3 AND I WAS DECLARED AN EXPERT IN A TRIAL IN LOS ANGELES.

4 AND IF YOU WISH ME TO PRODUCE MY WRITINGS ON THIS
5 SUBJECT, IT'S QUITE A BIG COPY JOB BUT I CAN DO THAT.

6 Q. I WOULD APPRECIATE IT IF IT EVIDENCED YOUR
7 QUALIFICATIONS AS AN EXPERT.

8 A. RIGHT.

9 Q. WHAT CASE WAS IT IN LOS ANGELES THAT YOU WERE --

10 A. CHURCH OF SCIENTOLOGY VERSUS ARMSTRONG, L.A.
11 SUPERIOR COURT NO. 420053.

12 Q. WHAT WERE YOU QUALIFIED AS AN EXPERT TO TESTIFY
13 ABOUT?

14 A. THAT HAD TO DO WITH SPECIFICALLY THE FRAUD OF
15 L. RON HUBBARD; THAT IS, MISREPRESENTATIONS BY L. RON
16 HUBBARD AND ABOUT HIS PAST, CREDENTIALS, ACCOMPLISHMENTS.

17 Q. WAS THAT -- WHAT QUALIFICATIONS DID YOU PRESENT
18 IN ORDER TO BE QUALIFIED AS AN EXPERT ON THAT TOPIC?

19 A. HE RULED FROM THE BENCH.

20 Q. WHAT DID YOU PRESENT, EITHER IN WRITING OR
21 ORALLY, TO SUPPORT YOUR BECOMING AN EXPERT ON THAT TOPIC?

22 A. I BELIEVE THAT BY THAT TIME, I PRESENTED FIVE
23 DAYS OF TESTIMONY.

24 Q. BUT WHAT SPECIFICALLY TO HELP QUALIFY YOU AS AN
25 EXPERT?

26 A. MY TESTIMONY AT THAT TIME ON THAT SUBJECT.

1 Q. IN A NUTSHELL, I DON'T WANT A LONG EXPLANATION,
2 BUT WHAT QUALIFIED YOU SPECIFICALLY TO TESTIFY ABOUT FRAUD
3 AND MISREPRESENTATIONS?

4 A. OH, I SEE. TWELVE-AND-A-HALF YEARS OF
5 SCIENTOLOGY EXPERIENCE TO THAT TIME. ELEVEN YEARS IN THE
6 SEA ORGANIZATION, TWO YEARS AS HUBBARD'S ARCHIVIST AND
7 BIOGRAPHICAL RESEARCHER, THE CREATION OF AN ARCHIVE OF
8 HUBBARD BIOGRAPHICAL MATERIAL, AND MY RESEARCH INTO HIS
9 LIFE.

10 Q. WHEN WERE YOU APPOINTED AS AN ARCHIVIST?

11 A. IN THE BEGINNING OF 1980.

12 Q. SO THIS WAS AFTER YOU GOT OUT OF THE SPECIAL
13 REHABILITATION PROJECT FORCE?

14 A. RIGHT, THE LAST TIME I GOT OUT WAS IN THE SPRING
15 OF '79. I THEN CONTINUED WORKING IN HUBBARD'S HOUSEHOLD
16 UNIT, BECAME THE DEPUTY COMMANDING OFFICER OF THE HOUSEHOLD
17 UNIT. AND THEN THE BEGINNING OF 1980, TRANSFERRED TO THE
18 POST OF L. RON HUBBARD ARCHIVIST/RESEARCHER.

19 Q. SO WHAT IS IT THAT YOU BELIEVE QUALIFIES YOU TO
20 TESTIFY AS AN EXPERT IN THIS CASE?

21 A. MY EXPERIENCES AND MY KNOWLEDGE.

22 Q. YOUR EXPERIENCES ABOUT WHAT?

23 A. MY EXPERIENCES RELATING TO THE SCIENTOLOGY
24 ORGANIZATION, FRAUD IN CONNECTION WITH THE SCIENTOLOGY
25 ORGANIZATION, FRAUD IN CONNECTION WITH L. RON HUBBARD, AND
26 KNOWLEDGE OF ITS ANTISOCIAL PRACTICES AND PHILOSOPHY.

1 Q. DO YOU BELIEVE THAT ANYBODY WHO HAD BEEN A MEMBER
2 OF THE CHURCH OF SCIENTOLOGY FOR 12 OR 13 YEARS WOULD HAVE
3 SIMILAR KNOWLEDGE?

4 A. ANYONE WHO DID WHAT I DID FOR THOSE 12 OR 13
5 YEARS WOULD HAVE SIMILAR KNOWLEDGE.

6 Q. ANYTHING IN PARTICULAR ABOUT WHAT YOU DID; DO YOU
7 MEAN YOUR ARCHIVIST DUTIES OR OTHER DUTIES?

8 A. I THINK THAT THERE ARE -- THAT THERE ARE THREE
9 MAIN AREAS WHICH ADD UP TO MY EXPERTISE. ONE OF THEM IS MY
10 WORK FROM 1971 THROUGH '75 ON THE SHIP, DURING WHICH TIME I
11 WAS THE LEGAL OFFICER, PUBLIC RELATIONS OFFICER AND
12 INTELLIGENCE OFFICER.

13 AND THE SECOND ONE WAS THE PERIOD OF TIME IN
14 WHICH I WAS THE HUBBARD ARCHIVIST/RESEARCHER.

15 AND THE THIRD AREA IS MY POST-SCIENTOLOGY
16 EXPERIENCE IN WHICH I HAVE BEEN THE TARGET OF SCIENTOLOGIST
17 FAIR GAME DOCTRINE.

18 AND THEN THERE ARE OTHER PERIODS OF TIME WHICH
19 DOVETAIL WITH THAT; FOR EXAMPLE, THE REHABILITATION PROJECT
20 FORCE.

21 Q. WHEN WERE YOU FIRST ASKED TO TESTIFY AS AN EXPERT
22 IN THIS CASE?

23 A. LET ME JUST SEE.

24 Q. WHAT ARE YOU REFERRING TO, MR. ARMSTRONG?

25 A. I GUESS I GAVE YOU THE LETTER, BUT MY LETTER
26 WHICH CAME BACK, WHICH WENT BACK TO YOU, FEBRUARY 18TH,

1 INDICATING THERE THAT I RECEIVED YOUR NOTICE OF DEPOSITION
2 THAT DAY.

3 Q. WHAT DATE IS THAT LETTER?

4 A. OF FEBRUARY 18TH.

5 Q. CAN I SEE THE LETTER YOU'RE REFERRING TO?

6 A. YEAH.

7 Q. OKAY, FEBRUARY 18TH, 1992. AND YOU'RE REFERRING
8 TO THE LETTER ADDRESSED TO CYNTHIA L. REMMERS AND TIMOTHY J.
9 LONG IN WHICH YOU CORRECT THE SPELLING OF YOUR NAME;
10 CORRECT?

11 A. RIGHT.

12 Q. THIS IS THE DATE, FEBRUARY 18TH, THAT YOU WERE
13 ACTUALLY HIRED AS AN EXPERT WITNESS IN THIS CASE?

14 A. WELL, I RECEIVED A TELEPHONE CALL SOME DAYS
15 BEFORE THAT, AND I CAN'T RECALL IF IT WAS A WEEK OR TEN DAYS
16 OR TWO WEEKS OR EVEN LONGER BEFORE THAT.

17 Q. FROM WHOM?

18 A. FROM MR. ELSTEAD.

19 Q. AND WHAT DID YOU DISCUSS IN THAT TELEPHONE CALL?

20 A. IT WAS VERY BRIEF, AND HE INDICATED THAT HE WAS
21 PUTTING ME ON A WITNESS LIST.

22 Q. DID HE TELL YOU IT WAS AN EXPERT WITNESS LIST?

23 A. I DON'T RECALL AT THE TIME IF HE SAID IT OR NOT.
24 AND IT DIDN'T RING A BELL AND I REALLY HAD NOT THOUGHT ABOUT
25 IT UNTIL I RECEIVED YOUR COMMUNICATION ON FEBRUARY 18TH.

26 Q. HOW LONG DID THIS TELEPHONE CONVERSATION WITH

1 MR. ELSTEAD LAST?

2 A. SECONDS.

3 Q. AND HAD YOU TALKED WITH MR. ELSTEAD ABOUT THIS
4 CASE AT ALL BEFORE?

5 A. I DON'T BELIEVE SO, AND IF WE DID, IT WAS IN
6 PASSING.

7 Q. HAD YOU TALKED WITH ANYONE AT ALL ABOUT THIS
8 LAWSUIT BEFORE THE TELEPHONE CALL FROM MR. ELSTEAD TELLING
9 YOU HE WAS PUTTING YOU ON A WITNESS LIST?

10 A. I DON'T BELIEVE SO. NOW I KNEW OF THE EXISTENCE
11 OF THE CASE BECAUSE I WAS WORKING IN THE HUB LAW OFFICE, BUT
12 I HAD NO KNOWLEDGE OF THE FACTS OR THE PEOPLE INVOLVED OR
13 ANYTHING.

14 Q. WHEN YOU SAY THE HUB LAW OFFICE, THAT'S THE LAW
15 OFFICE OF FORD GREENE?

16 A. RIGHT.

17 Q. AND FORD GREENE WAS THE PLAINTIFFS' LAWYER IN
18 THIS CASE ORIGINALLY, REPRESENTED ALL PLAINTIFFS.

19 DID YOU KNOW THAT?

20 A. RIGHT.

21 Q. AND YOU BECAME AWARE OF THAT BECAUSE YOU WERE
22 WORKING FOR FORD GREENE?

23 A. BECAUSE I WAS IN THE OFFICE, I BECAME AWARE OF
24 IT.

25 Q. WERE YOU ACTUALLY WORKING FOR MR. GREENE?

26 A. YES.

1 Q. AND BEING PAID BY MR. GREENE?

2 A. YES.

3 Q. FROM WHAT DATE TO WHAT DATE?

4 A. I HAVE BEEN WORKING WITH MR. GREENE SINCE
5 APPROXIMATELY AUGUST 15TH, 1991.

6 Q. AND HAD YOU MET MR. GREENE BEFORE AUGUST 15TH,
7 1991?

8 A. YES.

9 Q. WHEN DID YOU FIRST MEET MR. GREENE?

10 A. PERHAPS IN THE SUMMER OF 1990.

11 Q. WHERE DID YOU MEET HIM?

12 A. AT HIS OFFICE.

13 Q. AND DID YOU WORK WITH MR. GREENE AT ALL . . .

14 A. NO.

15 Q. . . . BEGINNING IN THE SUMMER OF 1990?

16 A. NO.

17 Q. DID YOU TALK WITH HIM ABOUT THIS PARTICULAR CASE
18 AT ALL?

19 A. NO.

20 Q. WHEN DID YOU FIRST HEAR ANYTHING ABOUT THIS
21 PARTICULAR CASE?

22 A. AT SOME TIME BETWEEN AUGUST 15TH AND FEBRUARY
23 THIS YEAR. AND MY BEST GUESS WOULD HAVE BEEN I FIRST HEARD
24 THE NAME PERHAPS TOWARDS DECEMBER, DECEMBER OF LAST YEAR.

25 Q. DID YOU SEE ANY DOCUMENTS IN MR. GREENE'S OFFICE
26 RELATING TO THIS CASE?

1 A. I HAVE NO RECOLLECTION OF ANY.

2 Q. WHAT DO YOU RECALL MR. GREENE TELLING YOU ABOUT
3 THE CASE?

4 A. I DON'T FEEL THAT IT'S APPROPRIATE FOR ME TO GO
5 INTO COMMUNICATIONS WHICH I'VE HAD WITH MR. GREENE
6 CONCERNING ANY OF HIS LITIGATION WHILE WORKING WITH HIM IN
7 THAT LAW FIRM.

8 Q. WHAT WAS YOUR CAPACITY?

9 A. I'M A PARALEGAL.

10 Q. YOU REMAIN A PARALEGAL?

11 A. YES.

12 Q. WHAT IS YOUR SALARY?

13 A. I DON'T HAVE A DEFINITE SALARY.

14 Q. WHAT DO YOU MEAN BY THAT? HOW ARE YOU PAID FOR
15 YOUR WORK?

16 A. I AM PAID FOR NOW ACCORDING TO NEED AND DEMAND.

17 Q. WHAT DO YOU MEAN BY "ACCORDING TO NEED AND
18 DEMAND"?

19 A. AS I NEED AND AS I DEMAND, AND AS IT IS POSSIBLE.

20 Q. YOU'RE PAID?

21 A. I'M PAID.

22 Q. DO YOU HAVE A SET HOURLY RATE AT ALL?

23 A. NO.

24 Q. WHAT IS THE HIGHEST HOURLY RATE YOU'VE ASKED FOR
25 YOUR WORK?

26 A. 250.

1 Q. AND THAT'S IN THIS CASE?

2 A. RIGHT.

3 Q. IS THAT THE FIRST TIME YOU'VE EVER CHARGED AN
4 HOURLY RATE TO BE AN EXPERT WITNESS?

5 A. YES.

6 Q. AND PRIOR TO REQUESTING \$250 AN HOUR AS AN EXPERT
7 WITNESS IN THIS CASE, WHAT WAS THE HIGHEST HOURLY RATE YOU
8 EVER CHARGED?

9 A. I HAVE NEVER CHARGED BEFORE FOR EXPERT WITNESS
10 FEES.

11 Q. WHAT'S THE HIGHEST HOURLY RATE YOU EVER CHARGED
12 MR. GREENE, FOR INSTANCE?

13 A. I HAVE NOT CHARGED HIM AN HOURLY RATE.

14 Q. HAVE YOU EVER AVERAGED OUT THE HOURS YOU'VE PUT
15 INTO SOMETHING COMPARED TO THE REQUEST OR DEMAND YOU'VE MADE
16 FOR MONEY TO SEE WHAT THE HOURLY RATE ROUGHLY IS?

17 A. I HAVE DONE THAT IN THE PAST BUT NOT IN
18 CONNECTION WITH THIS.

19 Q. OKAY, WHAT, WHEN YOU DID THAT IN THE PAST, WHAT
20 DID YOUR HOURLY RATE TURN OUT TO BE THAT YOU CHARGED FOR
21 YOUR PARALEGAL SERVICES?

22 A. I WAS -- MY HIGHEST PAYING REGULAR PARALEGAL JOB,
23 I WAS GETTING 16 -- 1650 A MONTH IN 1984.

24 Q. \$16.50 A MONTH?

25 A. NO.

26 Q. \$1650 A MONTH?

1 A. RIGHT.

2 Q. AND WHO PAID YOU THAT?

3 A. THAT WAS AT A LAW FIRM CALLED FELDSOTT,
4 F-E-L-D-S-O-T-T, LEE, L-E-E, & VAN GEMERT, V-A-N
5 G-E-M-E-R-T.

6 Q. AND WHERE IS THAT LOCATED?

7 A. NEWPORT BEACH.

8 Q. HOW LONG WERE YOU A PARALEGAL THERE?

9 A. TWO YEARS.

10 Q. AND THAT WAS YOUR REGULAR MONTHLY SALARY EACH OF
11 THOSE TWO YEARS?

12 A. NO, I BEGAN WITH AN HOURLY RATE. I THINK \$10 AN
13 HOUR.

14 Q. AND DID YOU ASSIST ON LITIGATION AGAINST THE
15 CHURCH OF SCIENTOLOGY WHEN YOU WERE AT THIS LAW FIRM OF
16 FELDSHAW?

17 A. FELDSOTT. NO.

18 Q. NO?

19 A. NO.

20 Q. YOU HAD NOTHING TO DO IN THOSE TWO YEARS WITH ANY
21 LITIGATION AGAINST THE CHURCH OF SCIENTOLOGY OR THE CHURCH
22 OF SCIENTOLOGY AGAINST SOMEONE ELSE?

23 A. NO, I HAD A LOT TO DO WITH IT.

24 Q. SO YOU DID ASSIST IN LITIGATION THAT WAS ACTUALLY
25 AGAINST THE CHURCH OF SCIENTOLOGY?

26 A. YES. BUT NOT WITH FELDSOTT, LEE & VAN GEMERT.

1 Q. SO THEY DID NOT PAY YOU FOR ANY PARALEGAL SERVICE
2 RELATING TO ANY LITIGATION AGAINST THE CHURCH?

3 A. RIGHT.

4 Q. WHAT DID THEY PAY YOU FOR?

5 A. PARALEGAL SERVICES.

6 Q. AND WHAT KIND? IN WHAT KIND OF LEGAL MATTERS?

7 MR. ELSTEAD: SHE'S JUST ASKING YOU GENERICALLY
8 TYPES, WITHOUT GIVING NAMES.

9 THE WITNESS: OH, FINANCIAL, THE COMMUNICATING
10 WITH CLIENTS OR PARTIES INVOLVED IN LITIGATION, DRAFTING OF
11 MEMORANDA. AND THAT'S PRINCIPALLY IT.

12 BY MS. REMMERS: Q. AT THE SAME TIME I TAKE IT
13 YOU WERE INVOLVED IN LITIGATION AGAINST THE CHURCH IN SOME
14 WAY?

15 A. RIGHT.

16 Q. WHAT WAS THAT?

17 A. THAT WAS THE CASE OF CHURCH OF SCIENTOLOGY OF
18 CALIFORNIA VERSUS ARMSTRONG.

19 Q. AND ARMSTRONG VERSUS THE CHURCH?

20 A. THE CROSS-COMPLAINT WHICH AROSE FROM THAT, YES.

21 Q. DID YOU EVER RECEIVE ANY KIND OF PAY FOR LEGAL
22 WORK PERFORMED IN RELATION TO THAT CASE?

23 A. PERIPHERALLY, WHEN I WAS WORKING FOR MICHAEL
24 FLYNN, AT THE LAW FIRM OF FLYNN, JOYCE & SHERIDAN, IN
25 BOSTON, IN 1985, SEPTEMBER '85 THROUGH DECEMBER '86.

26 Q. WHEN YOU SAY PERIPHERALLY, WHAT DO YOU MEAN?

1 A. WELL, SOME OF THE WORK THAT I DID IN THE FLYNN
2 FIRM HAD TO DO WITH MY OWN LITIGATION.

3 Q. WERE YOU A PARALEGAL IN THE FLYNN FIRM?

4 A. YES.

5 Q. AND WHAT WAS YOUR SALARY THERE?

6 A. MY RECOLLECTION IS THAT IT WAS AROUND, AND THIS
7 DEPENDED ON A NUMBER OF FACTORS, BUT AROUND 1600 A MONTH.

8 Q. AND WAS THAT STEADY FROM DECEMBER -- WHAT DID YOU
9 SAY -- DECEMBER '85? I'M SORRY, SEPTEMBER 1985 THROUGH
10 DECEMBER '86?

11 A. PRETTY WELL, I WORKED THROUGHOUT THAT PERIOD,
12 YES.

13 Q. AT 1600 A MONTH?

14 A. AGAIN, IT CHANGED. IT SHIFTED ACCORDING TO
15 BONUSES AND SO ON.

16 Q. SO YOU DID RECEIVE SOME ADDITIONAL MONIES BEYOND
17 THE 1600 A MONTH?

18 A. I THINK IT AVERAGED OUT TO 1600 A MONTH.

19 Q. AND DID YOU DO ANY OTHER WORK OTHER THAN WORK ON
20 CASES RELATED IN SOME WAY TO THE CHURCH OF SCIENTOLOGY?

21 A. YES.

22 Q. WHAT KIND OF CASES?

23 A. WHATEVER LITIGATION WAS IN THE OFFICE: MEDICAL
24 MALPRACTICE, FINANCIAL MATTERS.

25 Q. BUT YOU DID WORK ON CASES THAT INVOLVED THE
26 CHURCH OF SCIENTOLOGY?

1 A. RIGHT.

2 Q. AND DID YOU LEND YOUR EXPERTISE THEN TO THOSE
3 CASES, YOUR KNOWLEDGE AND BACKGROUND OF SCIENTOLOGY?

4 A. YES.

5 Q. OKAY, OTHER THAN THOSE TWO JOBS AS A PARALEGAL,
6 HAVE YOU WORKED IN ANY OR BEEN PAID IN ANY OTHER CAPACITY OR
7 ANY OTHER FORM FOR WORK IN CONNECTION WITH LAWSUITS AGAINST
8 THE CHURCH OF SCIENTOLOGY OR BY THE CHURCH AGAINST ANYONE?

9 A. I BELIEVE ONLY -- MY RECOLLECTION IS ONLY
10 EXPENSES BEYOND THAT.

11 Q. WHO'S PAID YOU EXPENSES FOR WORK IN CONNECTION
12 WITH ANY LAWSUITS INVOLVING THE CHURCH OF SCIENTOLOGY?

13 MR. ELSTEAD: COUNSEL -- I'D ADVISE YOU TO BE
14 CAREFUL OF NOT DIVULGING ANY ATTORNEY/CLIENT PRIVILEGES. BE
15 CAREFUL OF NAMES AND SUCH.

16 BY MS. REMMERS: Q. WHO ELSE HAVE YOU WORKED FOR
17 WHERE YOU RECEIVED EXPENSES FOR ASSISTANCE IN LITIGATION?

18 A. IN THE CHRISTOFFERSON CASE IN PORTLAND, OREGON,
19 JULIE CHRISTOFFERSON VERSUS L. RON HUBBARD.

20 Q. AND WERE YOU PAID BY A LAWYER THERE?

21 A. RIGHT.

22 Q. AND WHO WAS THAT?

23 A. GARRY MCMURRY, G-A-R-R-Y M-C-M-U-R-R-Y.

24 Q. AND YOU WERE PAID ONLY FOR EXPENSES.

25 IS THAT LIVING EXPENSES?

26 A. COULD HAVE BEEN TRAVEL, LIVING, THAT SORT OF

1 THING.

2 Q. HOW MUCH TIME DID YOU PUT IN ON THAT CASE?

3 A. I -- ALTHOUGH I TESTIFIED A TOTAL OF, I BELIEVE,
4 TEN DAYS IN THAT CASE, THE HELP OUTSIDE OF THE TESTIMONY,
5 THE HELP THAT I DID, WAS THE ANSWERING OF QUESTIONS AND
6 ASSISTANCE WHICH WENT ON OVER A PERIOD OF SOME MONTHS, BUT
7 DID NOT INVOLVE MY ACTIVE PARTICIPATION VERY MUCH DURING
8 THAT TIME. SO I HOPE THAT ANSWERS IT.

9 Q. WERE YOU THEN ACTING AS A CONSULTANT TO THIS
10 LAWYER WHO WAS REPRESENTING CHRISTOFFERSON?

11 A. WE DID NOT SPECIFY WHAT MY CONNECTION WAS. I HAD
12 AGREED TO TESTIFY. SO I WAS A WITNESS IN THAT CASE.

13 Q. BUT IN ADDITION TO BEING A WITNESS, DID YOU ALSO
14 ASSIST, I THINK AS YOU JUST TESTIFIED, WITH OTHER MATTERS IN
15 THE CASE?

16 A. I MADE MYSELF AVAILABLE AND MY KNOWLEDGE WAS USED
17 IN THAT WAY.

18 Q. BUT YOU DID NOT CHARGE AN HOURLY RATE . . .

19 A. RIGHT.

20 Q. . . . FOR YOUR SERVICES?

21 A. RIGHT.

22 Q. OKAY. AND WHY WAS THAT?

23 A. I THINK IT JUST NEVER CAME UP AT THAT TIME.

24 Q. AND WHAT YEAR WAS THIS?

25 A. 1985.

26 Q. AND DID YOU ASSIST ANY OTHER LAWYERS IN

1 LITIGATION AGAINST THE CHURCH, OR BY THE CHURCH AGAINST
2 ANYONE ELSE?

3 A. NOT IN THE SAME WAY; THAT IS, NOT WHERE I SPENT A
4 PERIOD OF TIME, BUT I HAVE, FROM 1982 THROUGH 1986, AND THEN
5 FROM SOMETIME IN 1990 THROUGH THE PRESENT TIME, I HAVE BEEN
6 AVAILABLE TO PEOPLE WHO ASKED FOR EITHER SPECIFIC PIECES OF
7 MY KNOWLEDGE OR ASKED FOR MY HELP.

8 Q. APPROXIMATELY HOW MANY PEOPLE HAVE YOU HELPED
9 WITH RESPECT TO LITIGATION AGAINST OR WITH THE CHURCH OF
10 SCIENTOLOGY?

11 A. I THINK THAT MY WORK HELPS A GREAT NUMBER OF
12 PEOPLE.

13 Q. HOW MANY ATTORNEYS HAVE ACTUALLY ASKED YOU FOR
14 THAT HELP?

15 A. I -- I REALLY CAN'T -- YOU MEAN FROM 1982
16 FORWARD?

17 Q. WELL, YOU SAID 1982 TO 1986, AND 1990 TO THE
18 PRESENT, YOU'VE BEEN AVAILABLE. SO YOU NAMED ONE ATTORNEY
19 THAT WAS INVOLVED WITH THE CHRISTOFFERSON CASE.

20 HOW MANY OTHERS HAVE THERE BEEN? WE KNOW
21 MR. ELSTEAD.

22 A. OH, LET'S SAY 15.

23 Q. CAN YOU NAME THOSE, PLEASE?

24 A. RON WADE, WALT LOGAN, TOM HOFFMAN, TOM GREEN,
25 MARK SIROTA, JIM RUMMONDS.

26 OTHERS MAY COME TO MIND BUT THAT -- THERE ARE A

1 NUMBER OF THEM.

2 Q. OKAY. NOW, WHAT WERE YOU DOING BETWEEN '86 AND
3 '90 THAT YOU WERE NOT AVAILABLE TO HELP PEOPLE, AS YOU PUT
4 IT?

5 A. IN 19 -- IN DECEMBER OF 1986, I ENTERED INTO A
6 SETTLEMENT AGREEMENT WITH THE SCIENTOLOGY ORGANIZATION,
7 WHICH SETTLED -- OSTENSIBLY SETTLED OUR CLAIMS AGAINST EACH
8 OTHER. AND FROM THEN FORWARD, I ATTEMPTED, INASMUCH AS WAS
9 HUMANLY POSSIBLE, TO HONOR THE AGREEMENT AND TO NOT MAKE
10 MYSELF AVAILABLE.

11 Q. SO IT WAS PART OF THE AGREEMENT THAT YOU NOT MAKE
12 YOURSELF AVAILABLE TO PEOPLE WHO WERE LITIGATING WITH THE
13 CHURCH OF SCIENTOLOGY?

14 A. RIGHT.

15 Q. AND SO WHAT HAPPENED IN 1990 TO CHANGE THAT?

16 A. WE ARRIVED AT A POINT, THE ORGANIZATION AND I,
17 WHERE I WAS, AS A RESULT OF A SERIES OF THREATS FROM
18 ORGANIZATION LAWYERS, BROUGHT BACK INTO THE LITIGATION. AND
19 I SIMPLY BECAME BACK INVOLVED IN THE LITIGATION.

20 AND I HAVE DETERMINED THAT IN ORDER TO PROTECT
21 MYSELF, THE BEST THING I COULD DO WOULD BE TO COMMUNICATE MY
22 EXPERIENCES AND, IN FACT, ASSIST THOSE AGAINST THE
23 ORGANIZATION.

24 Q. WHEN YOU SAY IT'S THE BEST THING TO PROTECT
25 YOURSELF, TO BE SPEAKING OUT, WHAT DO YOU MEAN? WHY IS THAT
26 THE BEST THING TO PROTECT YOURSELF FROM THE CHURCH?

1 A. WELL, IN MY ANALYSIS OF WHAT SHOULD I DO, THAT IS
2 AN ANSWER WHICH HAS COME TO ME AS THE MOST LOGICAL THING TO
3 DO.

4 Q. BUT WHY DO YOU SAY IT'S THE BEST THING TO PROTECT
5 YOURSELF, IS TO BE SPEAKING OUT IN THIS LITIGATION, IN
6 LITIGATION?

7 A. I THINK I ANSWERED THE QUESTION, DIDN'T I?

8 Q. NO, I'M ASKING YOU WHY YOU CONCLUDED THAT IT WAS
9 THE BEST THING TO DO.

10 A. ANOTHER WAY TO PUT IT: IN WHAT WAY DOES SPEAKING
11 OUT PROTECT YOU AGAINST THE CHURCH?

12 A. OH, BECAUSE IT WILL ASSIST IN THE RESOLUTION OF
13 THE LITIGATION. IN ORDER TO EXTRICATE MYSELF FROM THE
14 LITIGATION, AND IN ORDER TO MINIMIZE THE THREAT WHICH THE
15 ORGANIZATION IS AND REPRESENTS, PARTICIPATION IS THE BEST
16 DEFENSE.

17 Q. AND WHY IS THAT? WHY DOES IT PROTECT YOU MORE TO
18 PARTICIPATE THAN NOT TO PARTICIPATE IN LITIGATION AGAINST
19 THE CHURCH?

20 A. OH, BECAUSE THE -- THE ORGANIZATION'S HATRED OF
21 ME IS SO INTENSE THAT IN ORDER FOR ME TO LIVE SAFELY AT ALL
22 IN THIS WORLD, THE ORGANIZATION'S PHILOSOPHY AND DOCTRINE OF
23 FAIR GAME MUST BE SHOWN FOR WHAT IT IS. AND THE
24 ORGANIZATION SOONER OR LATER -- SOONER OR LATER IS GOING TO
25 HAVE TO REPUDIATE THAT PRACTICE. AND I BELIEVE MY
26 ASSISTANCE IN THE ORGANIZATION'S REPUDIATION MAKES SENSE AND

1 IS THE BEST THING FOR ME TO DO.

2 Q. SO YOU DON'T WORRY THAT TESTIFYING AGAINST THE
3 CHURCH OF SCIENTOLOGY WILL PUT YOU IN SOME KIND OF PHYSICAL
4 DANGER?

5 A. YES.

6 MR. ELSTEAD: YES, YOU DO? OR YES, YOU DON'T?

7 THE WITNESS: YES, I DO. I'M IN THE PHYSICAL
8 DANGER.

9 BY MS. REMMERS: Q. AND DO YOU BELIEVE YOU'RE IN
10 LESS PHYSICAL DANGER BY SPEAKING OUT THAN IF YOU WERE QUIET?

11 A. THERE ARE TWO ASPECTS OF THAT. IF I WERE TO ROLL
12 OVER, IT MAY BE THAT I'M IN LESS PHYSICAL DANGER
13 IMMEDIATELY, BUT IT WOULD NOT STOP THE REST OF MY LIFE.

14 Q. NOW, YOU --

15 A. THIS --

16 Q. I'M SORRY.

17 A. THIS CERTAINLY RAISES THE INITIAL DANGER, BUT IF
18 I CAN SURVIVE THE INITIAL DANGER, THEN THERE'S A POSSIBILITY
19 THAT THE DANGER WILL BE REMOVED.

20 Q. NOW, YOU SAID THAT YOU WERE BROUGHT BACK INTO
21 LITIGATION. WHO BROUGHT YOU BACK INTO LITIGATION?

22 A. WELL, THE SETTLEMENT OCCURRED IN DECEMBER '86.
23 AND FOLLOWING THE SETTLEMENT, THE ORGANIZATION DID NOT HONOR
24 ITS PART OF THE SETTLEMENT BUT CONTINUED TO PUBLISH THINGS
25 ABOUT ME, TO FILE SWORN STATEMENTS ABOUT ME IN COURTS, WHICH
26 WERE FALSE. THEY ATTACKED ME IN THE COURTS. THEY ATTACKED

1 ME IN THE MEDIA. THEY USED DOCUMENTS AND MATERIALS WHICH
2 HAD BEEN SEALED IN THE LITIGATION AGAINST ME, IN AN EFFORT
3 TO DESTROY MY REPUTATION. SO THAT BEGAN IMMEDIATELY AFTER
4 THE SETTLEMENT.

5 Q. THEY BEGAN DOING THAT IN 19 --

6 A. '87.

7 Q. 1987. THAT WAS BEFORE YOU -- WELL, LET ME ASK
8 YOU:

9 THEY HAD, IN THIS AGREEMENT, AGREED, I TAKE IT,
10 THEN NOT TO SAY ANYTHING ABOUT YOU AT ALL?

11 A. THAT'S WHAT BOTH PARTIES HAD UNDERTAKEN TO DO.

12 Q. YOU SIGNED AN AGREEMENT THAT SAID THAT THE CHURCH
13 OF SCIENTOLOGY WOULD SAY NOTHING ABOUT YOU TO ANYONE?

14 A. IT DOESN'T SAY THAT. THE AGREEMENT DOESN'T SAY
15 THAT.

16 Q. WHAT DID THEY DO THEN THAT YOU THOUGHT WAS
17 VIOLATING THE AGREEMENT?

18 A. THEY SPOKE. THEY WROTE. THEY LIED. THEY
19 ATTACKED.

20 Q. IN WHAT LITIGATION DID THEY SPEAK, WRITE, LIE,
21 ATTACK?

22 A. IN THE CROYDON, C-R-O-Y-D-O-N, LITIGATION. IN
23 THE RUSSELL MILLER LITIGATION IN LONDON, ENGLAND. IN THE
24 COST, C-O-S-T, CHURCH OF SPIRITUAL TECHNOLOGY V. U.S.
25 LITIGATION IN WASHINGTON, D.C.

26 AND THEY PROVIDED MATERIALS TO THE PRESS. THE

1 LONDON SUNDAY TIMES, I KNOW OF, AND THE LOS ANGELES TIMES, I
2 KNOW OF POST SETTLEMENT, ALL OF WHICH ACTS WERE IN VIOLATION
3 OF THE SETTLEMENT AGREEMENT.

4 Q. HAVE YOU EVER VIOLATED THE SETTLEMENT AGREEMENT?

5 A. I HAVE SINCE 1989, SINCE THE FALL OF 1989, WHEN I
6 REALIZED THAT I WAS INVOLVED, THEN I HAVE TAKEN THE POSITION
7 THAT THE ORGANIZATION HAS WAIVED WHATEVER RIGHTS IT'S HAD TO
8 ENFORCE THE SETTLEMENT AGREEMENT AND THAT I WAS FREE
9 THEREAFTER TO WRITE AND SPEAK.

10 Q. SO WHAT YOU'RE SAYING IS THAT THEY TOOK ALL THESE
11 ACTIONS YOU'VE ENUMERATED HERE, INCLUDING GOING TO THE PRESS
12 AND BEING INVOLVED IN THIS LITIGATION, BEFORE YOU EVER IN
13 YOUR OPINION VIOLATED THE AGREEMENT; CORRECT?

14 A. RIGHT.

15 Q. NOW DID YOU HELP ANY --

16 A. NOW LET ME CLARIFY THAT.

17 Q. ALL RIGHT.

18 A. THERE ARE TWO ASPECTS OF IT. FIRST OF ALL, THEY
19 TOOK THOSE PUBLIC CALCULATED ACTIONS. IN ADDITION, THE
20 DOCUMENT IS, WITHOUT THEM DOING ANYTHING, AN ILLEGAL AND
21 UNENFORCEABLE DOCUMENT WHICH IT IS IMPOSSIBLE TO LIVE BY.

22 Q. OKAY. NOW --

23 A. SO I ATTEMPTED TO HONOR THE SPIRIT OF THE
24 DOCUMENT, KNOWING THAT IT WAS IMPOSSIBLE TO LIVE BY THE
25 LETTER. AND KNOWING THAT IT WAS IMPOSSIBLE TO LIVE BY THE
26 LETTER -- I HAD BEEN SO ADVISED BY MY ATTORNEY, THE ATTORNEY

1 WHO NEGOTIATED THE AGREEMENT WITH THE ORGANIZATION OF TWO
2 FACTS.

3 Q. WHO WAS THAT?

4 A. MICHAEL FLYNN, BOSTON.

5 ONE, THAT IT IS NOT WORTH THE PAPER IT'S PRINTED
6 ON. IT IS UNENFORCEABLE.

7 AND TWO, THAT HE HAD SO ADVISED THE ORGANIZATION
8 ATTORNEYS; THAT IS, THAT IT'S UNENFORCEABLE, NOT WORTH THE
9 PAPER IT'S PRINTED ON.

10 IN SPITE OF THAT, I ATTEMPTED TO LIVE AS MUCH AS
11 WAS HUMANLY POSSIBLE BY BOTH THE LETTER AND THE SPIRIT OF
12 THAT DOCUMENT.

13 Q. OKAY. LET ME GO BACK FOR A MINUTE NOW.

14 THIS CROYDON LITIGATION, WHEN WAS THAT OCCURRING?

15 A. THAT WAS IN LOS ANGELES. IT WAS ONGOING AT THE
16 TIME OF THE SETTLEMENT.

17 Q. IN '86?

18 A. RIGHT.

19 Q. IN '87?

20 A. RIGHT.

21 Q. AND WHEN WAS IT CONCLUDED, IF IT WAS?

22 A. I BELIEVE THERE WAS A SETTLEMENT ENTERED INTO IN
23 DECEMBER OF 1991.

24 Q. NOW, DID YOU AT ANY TIME ASSIST THE LAWYERS IN
25 THAT CASE IN ANY WAY?

26 A. YEAH.

1 Q. WHAT LAWYERS? WAS THAT ONE OF THE LAWYERS YOU
2 LISTED?

3 A. NO. TOBY PLEVIN, T-O-B-Y P-L-E-V-I-N.

4 Q. SO YOU WANT TO ADD TOBY PLEVIN TO THE LIST?

5 A. YEAH, YOU CAN ADD HIM.

6 PAUL MORANTZ, M-O-R-A-N-T-Z, YOU CAN ADD HIM.
7 JOSEPH YANNY, Y-A-N-N-Y, PARRY VAN SICLE, P-A-R-R-Y V-A-N
8 S-I-C-L-E.

9 Q. SO PLEVIN AND MORANTZ, ARE THEY BOTH WITH THIS
10 CROYDON LITIGATION?

11 A. THEY WERE.

12 Q. AND DID YOU ASSIST THEM WHEN? IN WHAT PERIOD OF
13 TIME?

14 A. 1990 FORWARD.

15 Q. SO YOU DIDN'T EVEN TALK WITH THEM BEFORE 1990?

16 A. I MAY HAVE. I TALKED TO TOBY IN THE FALL OF
17 1989, AROUND THE SAME TIME WHEN I BECAME BACK INVOLVED.

18 I RECEIVED A SERIES OF TELEPHONE CALLS FROM
19 SCIENTOLOGY LAWYER LARRY HELLER, H-E-L-L-E-R, AND HE
20 THREATENED LITIGATION AT THAT TIME . . .

21 Q. WHAT TIME?

22 A. OCTOBER, NOVEMBER 1989.

23 . . . EVEN IF I WERE TO TESTIFY PURSUANT TO A
24 SUBPENA, IF I WERE TO ANSWER QUESTIONS INVOLVING MY
25 EXPERIENCES IN THE ORGANIZATION RELATING TO HUBBARD, HUBBARD
26 MISREPRESENTATIONS, OR MY JOB AS AN ARCHIVIST.

1 AND I KNEW AT THAT TIME THAT -- THAT'S WHEN I
2 MADE THE DECISION, KNOWING THAT I WAS BACK INVOLVED, AND I
3 WAS BEING THREATENED. AND SO I BEGAN AT THAT TIME TO
4 RESEARCH MY RIGHTS.

5 AND THE FIRST ACTION THAT I TOOK IN THE EARLY
6 PART OF 1990 WAS TO FILE A PETITION FOR PERMISSION TO
7 RESPOND IN AN APPEAL THAT THE ORGANIZATION HAD MAINTAINED
8 FROM THE DECISION WHICH HAD BEEN RENDERED BY THE TRIAL JUDGE
9 AT MY TRIAL IN JUNE OF 1984.

10 Q. OKAY, SO BETWEEN DECEMBER 1986 AND THE FALL OF
11 1989, YOU ASSISTED NO LAWYER WHATSOEVER IN ANY WAY, SHAPE OR
12 FORM IN LITIGATION INVOLVING THE CHURCH OF SCIENTOLOGY?

13 A. RIGHT.

14 Q. NOW WHAT KIND OF SETTLEMENT DID YOU GET IN
15 DECEMBER OF 1986? DID YOU RECEIVE MONEY FROM THE CHURCH?

16 A. YES.

17 Q. WHAT AMOUNT OF MONEY?

18 A. I'M NOT AT LIBERTY TO SAY.

19 MR. ELSTEAD: WAIT, HANG ON HERE.

20 (MR. ELSTEAD CONFERRED WITH THE WITNESS)

21 THE WITNESS: OH, YEAH, I'M NOT GOING TO SAY HOW
22 MUCH.

23 BY MS. REMMERS: Q. WELL, YOU'VE JUST TESTIFIED
24 YOU THINK THE AGREEMENT --

25 MR. ELSTEAD: I THINK THERE'S A SETTLEMENT
26 AGREEMENT WHICH REQUIRES SOME OF THE TERMS TO BE

1 CONFIDENTIAL.

2 MS. REMMERS: HE JUST TESTIFIED IT WAS A
3 COMPLETELY ILLEGAL AGREEMENT.

4 MR. ELSTEAD: WE'RE NOT TALKING ABOUT THAT. IT'S
5 UP TO HIM TO RECALL WHICH PARTS OF IT WERE, BUT I'M JUST
6 REMINDING HIM OF THAT.

7 BY MS. REMMERS: Q. WAS THERE SOME KIND OF COURT
8 ORDER THAT YOU NOT SPECIFY HOW MUCH MONEY YOU WERE PAID BY
9 THE CHURCH OF SCIENTOLOGY?

10 A. THERE IS AN AGREEMENT WHEREBY I WILL NOT DISCUSS
11 THAT.

12 Q. ISN'T THAT PART OF THE SAME AGREEMENT . . .

13 A. NO.

14 Q. . . . WHEREBY --

15 THAT'S A SEPARATE DOCUMENT?

16 A. RIGHT.

17 Q. WHEN DID YOU SIGN THAT AGREEMENT?

18 A. DECEMBER '86.

19 Q. AND THE DOCUMENT THAT CONTAINS YOUR PROMISE NOT
20 TO DISCUSS THE TERMS, THE AMOUNT OF MONEY PAID TO YOU BY THE
21 CHURCH, THAT IS NOT THE SAME DOCUMENT THAT DISCUSSES WHAT
22 YOU CAN AND CANNOT SAY ABOUT THE CHURCH?

23 A. RIGHT.

24 Q. THE DOCUMENT THAT DISCUSSES WHAT YOU COULD AND
25 COULD NOT SAY ABOUT THE CHURCH, DID IT HAVE ANY REFERENCE AT
26 ALL TO WHETHER YOU WERE PAID MONIES?

1 A. YES.

2 Q. AND DID IT IN THAT DOCUMENT SAY THAT YOU WEREN'T
3 SUPPOSED TO TALK ABOUT WHAT MONIES YOU WERE BEING PAID?

4 A. NO.

5 Q. OKAY. SO YOU BELIEVE THAT THE DOCUMENT, WHATEVER
6 IT IS THAT YOU SIGNED, THAT SAID THAT YOU PROMISED NOT TO
7 TALK ABOUT THE AMOUNT OF MONEY, THAT THAT DOCUMENT IS STILL
8 VALID?

9 A. THAT THE AGREEMENT --

10 MR. ELSTEAD: WHOA, WHOA, WHOA, WHOA. I'LL
11 OBJECT TO THAT. IT'S CALLING FOR A LEGAL CONCLUSION.

12 BY MS. REMMERS: Q. CAN YOU ANSWER THE QUESTION,
13 PLEASE?

14 A. MY AGREEMENT TO NOT DISCUSS THAT IS STILL VALID.

15 Q. OKAY. AND WHY DO YOU BELIEVE THAT IT IS STILL
16 VALID?

17 A. BECAUSE I HAVE NOT SEEN ANYTHING TO INVALIDATE
18 IT.

19 Q. WHAT DO YOU MEAN BY THAT?

20 A. THE -- THE AGREEMENT IS BETWEEN ME AND MY LAWYER.

21 Q. YOU MEAN THAT THE CHURCH OF SCIENTOLOGY PAID YOU
22 NO MONEY?

23 A. THE AGREEMENT IS BETWEEN ME AND MY LAWYER AND I
24 HAVE NEVER SEEN ANYTHING WHICH INVALIDATES THAT AGREEMENT.

25 Q. ARE YOU SAYING THAT THE AMOUNT THAT YOU WERE PAID
26 WAS DETERMINED BETWEEN YOU AND YOUR LAWYER?

1 MR. ELSTEAD: THAT'S NOT WHAT HE SAID.

2 MS. REMMERS: I'M ASKING.

3 MR. ELSTEAD: MISSTATES HIS TESTIMONY.

4 BY MS. REMMERS: Q. MY QUESTION IS, IS THAT WHAT
5 YOU SAID?

6 A. ESSENTIALLY, YES.

7 Q. AND IS THAT MR. FLYNN?

8 A. CORRECT.

9 Q. HOW DID HE DETERMINE HOW MUCH YOU WOULD BE PAID
10 IN THE SETTLEMENT GIVEN TO YOU BY THE CHURCH OF SCIENTOLOGY?

11 MR. ELSTEAD: HOLD ON JUST A MINUTE. DO YOU WANT
12 TO GIVE ME SOME EXPLANATION? I'M A LITTLE CONCERNED ABOUT
13 YOUR ASKING HIM QUESTIONS THAT IMPACT ONGOING LITIGATION
14 BETWEEN HE AND THE CHURCH. I MEAN YOU'RE CERTAINLY ENTITLED
15 TO DELVE INTO HIS BACKGROUND A LITTLE BIT, BUT YOU GIVE ME
16 SOME GOOD REASON WHY YOUR KNOWLEDGE ABOUT THESE MATTERS HAS
17 ANYTHING TO DO WITH THIS, AND I'LL LET YOU GO WITH IT.
18 OTHERWISE --

19 MS. REMMERS: IT GOES DIRECTLY TO HIS BIAS, TO --

20 MR. ELSTEAD: I DON'T WANT CONCLUSIONS. YOU GIVE
21 ME A REASON WHY THE AMOUNT OF MONEY HE GOT, AN AGREEMENT HE
22 HAD BETWEEN HE AND HIS LAWYER, AND LITIGATION WITH THE
23 CHURCH HAS ANYTHING TO DO WITH BIAS. I DON'T SEE IT.

24 MS. REMMERS: JOHN, I'D LIKE YOU TO CALM DOWN AND
25 NOT BE RUDE. I STARTED TO ANSWER YOUR QUESTION.

26 MR. ELSTEAD: JUST GIVE ME YOUR THEORY.

1 MS. REMMERS: I STARTED TO AND YOU INTERRUPTED
2 ME. IF YOU'RE GOING TO INSTRUCT HIM --

3 MR. ELSTEAD: WHAT IS YOUR THEORY?

4 MS. REMMERS: THAT I'M ENTITLED TO KNOW
5 EVERYTHING ABOUT THIS PURPORTED EXPERT WITNESS IN TERMS OF
6 HIS BIASES IN ANY RESPECT IN THIS LITIGATION, ANY BIAS HE
7 HAS, ANY ONGOING DEALINGS HE HAS WITH THE CHURCH OR LAWYERS
8 WHO ARE SUING THE CHURCH. IT GOES TO HIS BIAS.

9 MR. ELSTEAD: HOW DOES IT? EXPLAIN WHY PRIOR
10 LITIGATION, PRIOR COUNSEL -- HOW DOES THAT HAVE ANYTHING TO
11 DO WITH BIAS IN THIS CASE?

12 MS. REMMERS: I EXPLAINED.

13 MR. ELSTEAD: ALL YOU'RE SAYING IS THE
14 CONCLUSION. I HEAR YOU. GIVE ME THE THEORY UPON WHICH THAT
15 RELATES TO BIAS.

16 MS. REMMERS: I DON'T HAVE TO GIVE --

17 MR. ELSTEAD: THE THEORY?

18 MS. REMMERS: YOU CAN'T INSTRUCT HIM UNLESS
19 YOU'RE HIS LAWYER. ARE YOU REPRESENTING HIM IN THIS ACTION?

20 MR. ELSTEAD: ARE YOU GOING TO GIVE A THEORY?

21 MS. REMMERS: ARE YOU REPRESENTING --

22 MR. ELSTEAD: I'M NOT GOING TO ARGUE.

23 BY MS. REMMERS: Q. MR. ARMSTRONG . . .

24 MR. ELSTEAD: DON'T ANSWER THE QUESTION.

25 BY MS. REMMERS: Q. . . . IS MR. ELSTEAD
26 REPRESENTING YOU AS YOUR LAWYER?

1 MR. ELSTEAD: DON'T ANSWER THE QUESTION.

2 MS. REMMERS: I'M ENTITLED TO KNOW WHETHER THIS
3 WITNESS IS PERSONALLY REPRESENTED BY YOU AS HIS LAWYER.

4 MR. ELSTEAD: YOU'RE NOT EITHER ENTITLED TO THAT.
5 WE'RE NOT DEALING WITH THAT. EXPLAIN TO ME WHY YOU THINK
6 SOME AGREEMENT HE REACHED WITH A PRIOR LAWYER AND PRIOR
7 LITIGATION HAS ANYTHING TO DO WITH BIAS IN THIS CASE. THEN
8 I'LL LET HIM ANSWER.

9 BY MS. REMMERS: Q. MR. ARMSTRONG, IS
10 MR. ELSTEAD PERSONALLY REPRESENTING YOU IN THIS LITIGATION?

11 MR. ELSTEAD: DON'T ANSWER THE QUESTION.

12 MS. REMMERS: ON WHAT GROUND ARE YOU --

13 MR. ELSTEAD: I'M SORRY, I'VE TOLD YOU. YOU
14 OPENED UP A QUESTION HERE. YOU OPENED UP A QUESTION THAT
15 OPENS UP POSSIBLE LITIGATION.

16 MS. REMMERS: I PUT THE QUESTION ASIDE FOR A
17 MOMENT.

18 MR. ELSTEAD: I HAVE IT, AND WE'RE NOT GOING TO
19 GO ANY FARTHER UNTIL YOU EXPLAIN IT.

20 BY MS. REMMERS: Q. MR. ARMSTRONG, CAN YOU TELL
21 ME WHETHER MR. ELSTEAD IS REPRESENTING YOU HERE IN THIS
22 LITIGATION?

23 MR. ELSTEAD: I'M ADVISING YOU NOT TO ANSWER THE
24 QUESTION.

25 BY MS. REMMERS: Q. CAN YOU PLEASE ANSWER THE
26 QUESTION?

1 A. I THINK THAT UNTIL THIS IS SORTED OUT BETWEEN YOU
2 GUYS, I WILL NOT ANSWER.

3 Q. IS MR. ELSTEAD YOUR LAWYER PERSONALLY IN THIS
4 LITIGATION?

5 MR. ELSTEAD: HE SAID HE'S NOT GOING TO ANSWER.

6 BY MS. REMMERS: Q. MR. ARMSTRONG, HAS
7 MR. ELSTEAD EVER REPRESENTED YOU PERSONALLY IN ANY
8 LITIGATION OR LEGAL MATTER?

9 A. YES.

10 Q. WHAT LEGAL MATTER?

11 A. IN MATTERS RELATING TO THE SCIENTOLOGY
12 ORGANIZATION LITIGATION.

13 Q. WHEN DID YOU HIRE HIM AS YOUR LAWYER?

14 MR. ELSTEAD: I WASN'T HIRED AS HIS LAWYER.

15 MS. REMMERS: I'D LIKE HIS TESTIMONY.

16 MR. ELSTEAD: DON'T ASK HIM FOR QUESTIONS HE
17 CAN'T ANSWER BECAUSE YOU ASK FOR LEGAL CONCLUSIONS.

18 MS. REMMERS: WHETHER YOU'VE HIRED SOMEBODY AS A
19 LAWYER, MR. ELSTEAD, IS HARDLY A LEGAL CONCLUSION.

20 MR. ELSTEAD: I KNOW YOU DON'T SEE IT, BUT IT
21 HAPPENS TO BE THE FACT.

22 THE WITNESS: MY BEST ESTIMATE IS THAT
23 MR. ELSTEAD BEGAN HIS REPRESENTATION OF ME IN SEPTEMBER OR
24 OCTOBER OF LAST YEAR.

25 BY MS. REMMERS: Q. 1991?

26 A. RIGHT.

1 Q. WHEN DID YOU FIRST MEET MR. ELSTEAD?

2 A. JULY.

3 Q. OF 1991?

4 A. RIGHT.

5 Q. AND HOW DID YOU HAPPEN TO MEET?

6 A. IN LOS ANGELES.

7 Q. WHAT WAS THE OCCASION?

8 A. IT WAS OVER LUNCH.

9 Q. AND WHO ARRANGED THE LUNCH?

10 A. I DON'T KNOW.

11 Q. WHAT WAS THE TOPIC OF YOUR DISCUSSION?

12 MR. ELSTEAD: I'D ADVISE YOU -- IN FACT, I'LL
13 INSTRUCT YOU NOT TO ANSWER ON TERMS OF THE ATTORNEY/CLIENT
14 PRIVILEGE.

15 MS. REMMERS: HE JUST TESTIFIED HE DID NOT ENGAGE
16 YOU AS COUNSEL UNTIL SEPTEMBER OR OCTOBER OF 1991. ON WHAT
17 POSSIBLE GROUND COULD HE NOT TESTIFY --

18 MR. ELSTEAD: I'M NOT GOING TO EDUCATE YOU ON THE
19 PRACTICE OF LAW. I'M INSTRUCTING THE WITNESS NOT TO ANSWER.
20 IT HAD TO DO WITH ANOTHER MATTER. YOU CAN ASK ABOUT THE
21 MEETING. HE'S NOT GOING TO TALK ABOUT THE CONVERSATIONS.

22 BY MS. REMMERS: Q. WHO ELSE WAS PRESENT,
23 MR. ARMSTRONG?

24 MR. ELSTEAD: DON'T ANSWER ON GROUNDS OF THE
25 ATTORNEY/CLIENT PRIVILEGE.

26 MS. REMMERS: I'M ENTITLED TO KNOW WHO WAS

15
1 PRESENT, TO KNOW WHETHER THERE WAS A WAIVER.

2 MR. ELSTEAD: TAKE IT TO THE JUDGE IF YOU WANT.
3 HE'S NOT GOING TO ANSWER. I'M ADVISING HIM NOT TO ANSWER.

4 BY MS. REMMERS: Q. IS MR. ELSTEAD REPRESENTING
5 YOU AT THIS MOMENT, MR. ARMSTRONG?

6 MR. ELSTEAD: RIGHT.

7 MS. REMMERS: I TAKE IT YOU ARE ACTING AS HIS
8 PERSONAL LAWYER IN THIS DEPOSITION?

9 MR. ELSTEAD: YOU'RE ASKING ABOUT ANOTHER CASE, A
10 CASE IN WHICH HE WAS WORKING AS A PARALEGAL AND I'M ADVISING
11 HIM AND INSTRUCTING HIM NOT TO ANSWER ON THE GROUNDS OF THE
12 ATTORNEY/CLIENT PRIVILEGE HAVING TO DO WITH ANOTHER CASE AND
13 CLIENT.

14 MS. REMMERS: ARE YOU ACTING AS HIS LAWYER RIGHT
15 NOW AND ADVISING HIM NOT TO ANSWER?

16 MR. ELSTEAD: I DON'T HAVE TO ACT AS HIS LAWYER.

17 MS. REMMERS: YES, YOU DO IF --

18 MR. ELSTEAD: NO, I AM NOT GOING TO ANSWER THAT
19 QUESTION. NOW CAN YOU STICK WITH ONE QUESTION OR WE'LL JUST
20 END THE CONVERSATION. YOU'RE ASKING HIM ABOUT THE LUNCH.
21 I'M TELLING HIM NOT TO ANSWER THE QUESTION ON THE GROUNDS OF
22 THE ATTORNEY/CLIENT PRIVILEGE. IF YOU WANT TO ASK ABOUT
23 SOMETHING ELSE, THAT'S FINE.

24 BY MS. REMMERS: Q. MY NEXT QUESTION: IS
25 MR. ELSTEAD IN THIS DEPOSITION REPRESENTING YOU PERSONALLY?

26 A. NO.

1 MS. REMMERS: THEN KEEP IN LINE, OKAY.

2 MR. ELSTEAD: EXCUSE ME? EXCUSE ME, LET'S GET
3 ONE THING STRAIGHT. IF YOU EVER SAY ANYTHING LIKE THAT TO
4 ME AGAIN, OR DICTATE TO ME, WE'RE GOING TO END THE
5 DEPOSITION. DO YOU UNDERSTAND?

6 MS. REMMERS: OH, I THOUGHT YOU WERE JUST
7 DICTATING TO ME?

8 MR. ELSTEAD: I'M ASSERTING ATTORNEY/CLIENT
9 PRIVILEGES, AND I WILL DO IT, AND I WILL NOT SIT HERE AND BE
10 TOLD BY YOU OR ANY OTHER LAWYER TO GET IN LINE; DO YOU
11 UNDERSTAND?

12 BY MS. REMMERS: Q. MR. ARMSTRONG --

13 MR. ELSTEAD: DO YOU UNDERSTAND?

14 BY MS. REMMERS: Q. MR. ARMSTRONG --

15 MR. ELSTEAD: LET'S GO OUTSIDE.

16 MS. REMMERS: IF YOU WANT TO CONTINUE TO YELL,
17 WAY ABOVE NORMAL TALKING --

18 MR. ELSTEAD: COME ON, JERRY, OUTSIDE. OUTSIDE.
19 WAIT IN MY OFFICE.

20 THE WITNESS: OKAY.

21 (MR. ARMSTRONG LEFT THE ROOM)

22 MR. ELSTEAD: AND THIS IS ON THE RECORD.

23 I HAVE SAT THROUGH NUMEROUS DEPOSITIONS WITH YOU,
24 MRS. REMMERS, WHERE YOU PURPORT TO BE THE JUDGE ALL GOD
25 ABOUT WHAT THE LAW IS AND IS NOT. LAWYERS DISAGREE WITH THE
26 LAW. I DISAGREE WITH MANY THINGS YOU SAY. I AM NOT GOING

1 TO HAVE YOU TELL ME TO KEEP IN LINE; DO YOU UNDERSTAND THAT?
2 I WILL GET HOT, AND I WILL GET MAD, AND I WILL TELL
3 WITNESSES --

4 MS. REMMERS: YOU WILL SHOUT AT THE TOP OF YOUR
5 LUNGS, MR. ELSTEAD, WHICH IS IMPROPER.

6 MR. ELSTEAD: I WILL IF YOU DON'T STOP ACTING
7 UNPROFESSIONALLY, AS YOU HAVE DONE IN EVERY DEPOSITION I'VE
8 SAT IN WITH YOU.

9 MS. REMMERS: GEE, MR. ELSTEAD, IF THERE'S AN
10 UNPROFESSIONAL PERSON IN THIS ROOM AT THE MOMENT, IT COULD
11 BE NO ONE BUT YOU.

12 MR. ELSTEAD: DON'T MAKE MISREPRESENTATIONS OF
13 LAW PARTICULARLY WHEN IT HAS TO DO WITH ATTORNEY/CLIENT
14 PRIVILEGES INVOLVING OTHER CASES TO THIS WITNESS.

15 MS. REMMERS: WHAT MISREPRESENTATION OF LAW,
16 MR. ELSTEAD? YOU MADE AN --

17 MR. ELSTEAD: WELL, ONE SAYING THAT YOU HAVE THE
18 RIGHT TO KNOW ABOUT NAMES OF THINGS INVOLVING OTHER
19 LITIGATION.

20 MS. REMMERS: WHAT NAMES? WHAT DID I SAY I HAD
21 THE RIGHT TO KNOW? I ASKED WHO WAS PRESENT AT THE LUNCH.
22 IS THAT A MISREPRESENTATION OF MY RIGHT?

23 MR. ELSTEAD: AND I AM TELLING YOU --

24 MS. REMMERS: ANSWER THAT QUESTION. IS THAT A
25 MISREPRESENTATION?

26 MR. ELSTEAD: I TOLD YOU THAT WAS PROTECTED BY

1 THE ATTORNEY/CLIENT PRIVILEGE, AND YOU LOOKED AT HIM AND
2 SAID IT WAS NOT.

3 MS. REMMERS: IN MY OPINION IT IS NOT.

4 MR. ELSTEAD: YOU CAN SAY THAT TO ME, BUT I'M NOT
5 GOING TO HAVE YOU TELL A WITNESS WHAT THE LAW IS.

6 MS. REMMERS: MR. ELSTEAD, YOU GIVE ME SOME
7 AUTHORITY THAT I AM NOT THEN ENTITLED TO LAY A FOUNDATION
8 FOR YOUR BLANKET CLAIM OF PRIVILEGE. SHOW ME SOME AUTHORITY
9 THAT SAYS I'M NOT ENTITLED TO KNOW WHO WAS PRESENT AT THAT
10 MEETING. THERE COULD HAVE BEEN 45 PEOPLE THERE INCLUDING
11 THE MAYOR OF LOS ANGELES. GIVE ME SOME AUTHORITY.

12 MR. ELSTEAD: I'M NOT GOING TO. GO TO A JUDGE.
13 YOU HAVE A REMEDY. IF YOU DON'T LIKE WHAT I'M DOING, WE CAN
14 GO TO THE JUDGE. BUT DON'T ARGUE WITH THE WITNESS ABOUT
15 THOSE THINGS.

16 MS. REMMERS: I WASN'T ARGUING WITH THE WITNESS.
17 I WAS TRYING TO GET AN ANSWER. YOU'RE INSTRUCTING AS A
18 LAWYER A PERSON WHO HAS NOT HIRED YOU.

19 MR. ELSTEAD: YOU'RE HARASSING THE WITNESS.

20 MS. REMMERS: THAT'S RIDICULOUS. LET'S GET HIM
21 BACK IN HERE SO WE CAN CONTINUE.

22 MR. ELSTEAD: DON'T DO IT AGAIN.

23 MS. REMMERS: DON'T YELL.

24 MR. ELSTEAD: I WILL YELL AT YOU WHEN YOU'RE A
25 JERK, AS YOU HAVE BEEN IN OTHER DEPOSITIONS.

26 MS. REMMERS: WE'RE TALKING ABOUT THIS

1 DEPOSITION, AND THERE'S ONLY ONE JERK IN THE ROOM,

2 MR. ELSTEAD.

3 (MR. ELSTEAD LEFT THE ROOM, FOLLOWING WHICH THERE
4 WAS A BRIEF RECESS)

5 (MR. ELSTEAD AND MR. ARMSTRONG RETURNED TO THE
6 ROOM)

7 MR. ELSTEAD: IF YOU WANT TO ASK HIM WHO WAS AT
8 THAT LUNCH, YOU CAN. I'LL LET HIM ANSWER.

9 BY MS. REMMERS: Q. WHO WAS AT THE LUNCH,
10 PLEASE? WE WERE TALKING ABOUT THE LUNCH WHEN YOU FIRST MET
11 MR. ELSTEAD.

12 A. MR. ELSTEAD AND JOE YANNY.

13 Q. AND WAS MR. YANNY REPRESENTING YOU?

14 A. NO. I MEAN NOT -- NOT IN SCIENTOLOGY RELATED
15 LITIGATION.

16 Q. WHAT WAS YOUR CAPACITY AT THIS LUNCH? WHAT
17 FUNCTION DID YOU PERFORM?

18 A. PARALEGAL.

19 Q. HIRED BY WHO?

20 A. JOE YANNY.

21 Q. HE WAS PAYING YOU TO DO PARALEGAL WORK?

22 A. HE ASKED ME -- HE HAD CALLED ME A FEW DAYS PRIOR
23 TO THAT AND ASKED FOR MY HELP. AND I HAD COME TO
24 LOS ANGELES. AND SO I MADE MYSELF AVAILABLE IN LOS ANGELES
25 TO HELP HIM.

26 Q. WITH WHAT?

16 1 A. IN A CASE CALLED AZNERAN, A-Z-N-E-R-A-N.

2 Q. NOW, WHAT WAS YOUR UNDERSTANDING --

3 (MR. ELSTEAD CONFERRED WITH THE WITNESS)

4 BY MS. REMMERS: Q. WHAT DID HE TELL YOU?

5 MR. ELSTEAD: DON'T ANSWER THAT QUESTION.

6 MS. REMMERS: YOU'RE NOT REPRESENTING HIM.

7 BY MS. REMMERS: Q. I'M ENTITLED TO KNOW WHAT HE
8 SAID.

9 MR. ELSTEAD: YOU'RE NOT.

10 MS. REMMERS: I'M ENTITLED TO KNOW WHAT YOU SAID
11 TO THE WITNESS. I'M ENTITLED TO DISCOVER --

12 MR. ELSTEAD: YOU'RE NOT ENTITLED TO DISCOVER
13 ANYTHING ABOUT ANY OTHER CASE THAT HE WORKS ON WITH ME.
14 WHAT MAKES YOU THINK YOU ARE?

15 MS. REMMERS: I'M ENTITLED TO HEAR WHAT YOU SAID
16 TO THE WITNESS IN THE MIDDLE OF THIS TESTIMONY.

17 MR. ELSTEAD: YOU ARE NOT. IT HAS NOTHING TO DO
18 WITH THIS CASE.

19 MS. REMMERS: HOW DO I KNOW THAT?

20 MR. ELSTEAD: YOU DON'T. TAKE MY WORD.

21 BY MS. REMMERS: Q. AT THIS LUNCH, WHAT WAS YOUR
22 UNDERSTANDING OF MR. ELSTEAD'S FUNCTION? WHAT WAS HIS ROLE
23 IN THIS MEETING?

24 A. HE WAS A LAWYER IN THE PROCESS OF INVOLVEMENT IN
25 THAT CASE.

26 Q. IN THE AZNERAN CASE?

1 A. RIGHT.

2 Q. WHEN YOU SAY "IN THE PROCESS OF INVOLVEMENT,"
3 WHAT DO YOU MEAN?

4 A. IN THE PROCESS OF INVOLVEMENT.

5 Q. BECOMING THE LAWYER TO THE AZNERANS?

6 A. I -- HE -- HE DID BECOME THE LAWYER. SO YOU
7 COULD SAY THAT.

8 Q. OKAY, NOW AFTER THIS JULY 1991 LUNCH, DID YOU
9 TALK WITH OR SEE MR. ELSTEAD AGAIN?

10 A. (WITNESS NODS HEAD)

11 Q. WHEN WAS THE NEXT TIME?

12 A. THE NEXT TIME WAS IN AUGUST OF 1991.

13 Q. AND DID YOU THEN BECOME A PARALEGAL TO
14 MR. ELSTEAD?

15 A. NO.

16 Q. DID YOU WORK FOR HIM IN ANY WAY?

17 A. NOT DIRECTLY, NO.

18 Q. WHEN YOU SAY NOT DIRECTLY, WHAT DO YOU MEAN?

19 A. I WORKED FOR AND WITH FORD GREENE. SO BROADLY,
20 MY WORK ASSISTED MR. ELSTEAD'S EFFORTS BUT WE HAD NO
21 RELATIONSHIP BEYOND THAT.

22 Q. WHAT DO YOU RECALL TALKING TO MR. ELSTEAD ABOUT
23 IN AUGUST OF 1991?

24 MR. ELSTEAD: I'M GOING TO INSTRUCT HIM NOT TO
25 ANSWER THAT ON GROUNDS OF THE ATTORNEY/CLIENT PRIVILEGE.

26 BY MS. REMMERS: Q. HE WASN'T YOUR ATTORNEY IN

1 AUGUST OF 1991; CORRECT?

2 MR. ELSTEAD: THAT DOESN'T MEAN IT'S NOT
3 PROTECTED BY THE ATTORNEY/CLIENT PRIVILEGE. HE'S DOING WORK
4 ON A CASE.

5 MS. REMMERS: HE SAID HE HAD NO RELATIONSHIP TO
6 YOU.

7 MR. ELSTEAD: JERRY, COME HERE.

8 (MR. ELSTEAD CONFERRED WITH THE WITNESS)

9 MR. ELSTEAD: REMEMBER?

10 THE WITNESS: OKAY.

11 BY MS. REMMERS: Q. DO YOU WANT TO CORRECT YOUR
12 TESTIMONY AFTER HAVING HAD A CONVERSATION WITH MR. ELSTEAD?

13 A. YEAH, WELL, JUST, YOU KNOW, I CAN EXPLAIN. I
14 WORKED PHYSICALLY WITH FORD GREENE IN FORD GREENE'S OFFICE.
15 BOTH OF THEM ARE LAWYERS ON THE AZNERAN CASE.

16 Q. THEY BOTH REPRESENT THE AZNERANS?

17 A. CORRECT. SO I HAD --

18 Q. IN AUGUST 1991?

19 A. RIGHT. SO A LOT OF THE WORK THAT I DID ON THE
20 AZNERAN CASE, ALTHOUGH I WAS PHYSICALLY WITH FORD GREENE,
21 WAS WORKING FOR MR. ELSTEAD.

22 Q. OKAY. WHAT PERIOD OF TIME WAS FORD GREENE
23 CO-COUNSEL WITH MR. ELSTEAD ON THE AZNERAN CASE?

24 MR. ELSTEAD: IF YOU KNOW.

25 THE WITNESS: MY RECOLLECTION IS AUGUST FORWARD.

26 BY MS. REMMERS: Q. TO THE PRESENT?

1 A. AS FAR AS --

2 MR. ELSTEAD: DON'T SPECULATE UNLESS YOU
3 ABSOLUTELY KNOW. DON'T SPECULATE.

4 THE WITNESS: OKAY, I DON'T KNOW.

5 BY MS. REMMERS: Q. DO YOU HAVE SOME REASON TO
6 BELIEVE THAT THEY ARE NOT CONTINUING TO BE CO-COUNSEL IN
7 THAT CASE?

8 A. I DON'T KNOW.

9 Q. DOES FORD GREENE CONTINUE TO REPRESENT THE
10 AZNERANS?

11 A. I DON'T KNOW WHAT THE RELATIONSHIP IS AT THE
12 MOMENT.

13 Q. SO YOU'RE NOT WORKING ON THAT CASE AT THE MOMENT
14 FOR MR. GREENE?

15 A. NOT AT THIS MOMENT.

16 Q. WHEN WAS THE LAST TIME YOU WORKED ON THAT CASE?

17 A. LET -- LET ME CLARIFY SOME THINGS. THE WORK
18 WHICH I DO IN THE OFFICE INVOLVES HANDLING ITEMS, PAPER,
19 DOCUMENTS, MAIL, AND OTHER THINGS WHICH RELATE TO THAT CASE.
20 SO I DO CONTINUE TO WORK ON THAT CASE.

21 Q. SO HE STILL IS REPRESENTING THE AZNERANS?

22 MR. ELSTEAD: DON'T SPECULATE ABOUT WHAT YOU
23 DON'T KNOW FOR SURE.

24 BY MS. REMMERS: Q. YOU STILL CONTINUE TO SEE
25 DOCUMENTS COME INTO THE OFFICE ON THAT CASE?

26 A. RIGHT, I STILL WORK ON IT.

1 Q. OTHER THAN DISCUSSIONS THAT YOU HAD WITH
2 MR. ELSTEAD ABOUT MATTERS RELATING TO THE AZNERAN CASE,
3 WHICH I'M NOT INTERESTED IN GETTING INTO . . .

4 MR. ELSTEAD: THANK GOD.

5 BY MS. REMMERS: Q. . . . WHEN DID YOU FIRST
6 DISCUSS WITH MR. ELSTEAD HIS REPRESENTING YOU IN ANY
7 CAPACITY?

8 A. I'VE GONE INTO THAT, AND THAT WAS BACK IN
9 SEPTEMBER OR OCTOBER.

10 Q. AND WHAT WAS THAT? YOU HAD SAID THAT WAS IN
11 RELATIONSHIP TO A PARTICULAR LEGAL MATTER OR NOT? WAS IT
12 FOR ALL PURPOSES OR JUST FOR A PARTICULAR LEGAL MATTER?

13 A. THE ONE INSTANCE WHEN HE REPRESENTED ME FOR A
14 BLOCK OF TIME WAS DURING A DEPOSITION. MY RECOLLECTION WAS
15 OCTOBER LAST YEAR.

16 Q. WHAT DEPOSITION WAS THAT?

17 A. IT WAS -- I WAS THE DEPONENT IN THE CASE OF
18 RELIGIOUS TECHNOLOGY CENTER VERSUS YANNY.

19 Q. DO YOU KNOW WHO REPRESENTED MR. YANNY IN THAT
20 LITIGATION?

21 A. MR. YANNY HAS BEEN REPRESENTED BY A NUMBER OF
22 COUNSELS. DO YOU WANT --

23 Q. IN OCTOBER OF 1991?

24 MR. ELSTEAD: IF YOU KNOW WHO REPRESENTED HIM AT
25 THAT DEPOSITION TELL HER. IF YOU DON'T KNOW, DON'T GUESS.

26 THE WITNESS: PRESENT ON BEHALF OF MR. YANNY WAS

1 RICK WYNN, W-Y-N-N.

2 BY MS. REMMERS: Q. OKAY, DID MR. ELSTEAD BILL
3 YOU FOR ACTING AS YOUR LAWYER IN OCTOBER 1991 IN THIS
4 DEPOSITION?

5 WAS IT JUST ONE DEPOSITION, BY THE WAY?

6 A. YES.

7 Q. HAS HE REPRESENTED YOU FOR ANY OTHER PURPOSE
8 WHATSOEVER?

9 A. NOT SPECIFICALLY. THERE HAVE BEEN DISCUSSIONS.

10 Q. NOW, HAS HE BILLED YOU FOR HIS SERVICES RENDERED
11 IN REPRESENTING YOU IN THIS DEPOSITION IN OCTOBER IN THE
12 YANNY CASE?

13 A. NO.

14 Q. HAVE YOU MADE A FEE ARRANGEMENT WITH HIM?

15 A. NO.

16 Q. SO YOU DON'T EXPECT TO BE BILLED BY MR. ELSTEAD
17 FOR HIS SERVICES?

18 A. I'M NOT SURE.

19 Q. YOU'VE NEVER DISCUSSED THAT WITH HIM?

20 A. NO.

21 Q. WHEN YOU SAY YOU'VE HAD DISCUSSIONS, ARE YOU
22 TALKING ABOUT HIS REPRESENTATION OF YOU IN SOME OTHER
23 MATTER?

24 A. YEAH, RELATING TO REPRESENTATION OF ME.

25 Q. IN ANY WAY RELATING TO THE CHURCH OF SCIENTOLOGY?

26 A. YES.

1 Q. SO I TAKE IT YOU'RE CONSIDERING HAVING HIM BE
2 YOUR LAWYER IN SOME LITIGATION WITH THE CHURCH OF
3 SCIENTOLOGY?

4 A. I HAVE NOT ELIMINATED HIM, SO I CAN'T SAY THAT HE
5 WILL NOT BE.

6 MR. ELSTEAD: DO I HAVE ANYTHING TO SAY ABOUT IT?

7 THE WITNESS: WE'LL DISCUSS IT.

8 BY MS. REMMERS: Q. AND WHAT IS THIS LITIGATION
9 AGAINST THE CHURCH OF SCIENTOLOGY?

10 A. I AM INVOLVED IN A GREAT DEAL OF LITIGATION WITH
11 SCIENTOLOGY. THE SPECIFIC CASE WHICH IS NOW ACTIVE IS
12 CHURCH OF SCIENTOLOGY INTERNATIONAL VERSUS ARMSTRONG, WHICH
13 IS FILED IN MARIN SUPERIOR COURT.

14 THERE'S ANOTHER CASE, CHURCH OF SCIENTOLOGY
15 VERSUS ARMSTRONG, IN LOS ANGELES SUPERIOR COURT.

16 THERE IS CHURCH OF SCIENTOLOGY INTERNATIONAL
17 VERSUS SEVENTEEN AGENTS, FEDERAL DISTRICT COURT IN
18 LOS ANGELES.

19 Q. AND WHO IS REPRESENTING YOU PRESENTLY IN THE
20 LITIGATION BY THE CHURCH AGAINST YOU?

21 A. ACTIVELY INVOLVED IS FORD GREENE.

22 Q. HE IS YOUR LAWYER?

23 A. CORRECT.

24 Q. AND INACTIVELY INVOLVED, DO YOU HAVE LAWYERS
25 REPRESENTING YOU?

26 A. YES.

1 Q. AND WHO IS THAT?

2 A. TOBY PLEVIN, LOS ANGELES.

3 Q. ANYONE ELSE?

4 A. NOT IN THAT LITIGATION.

5 Q. YOU HAVE OTHER LAWYERS REPRESENTING YOU IN OTHER
6 LITIGATION?

7 A. IN OTHER MATTERS.

8 Q. WHO?

9 A. BUT NOT RELATED TO THIS.

10 Q. WHO ARE THOSE LAWYERS?

11 A. THOSE ARE OTHER NON-SCIENTOLOGY RELATED MATTERS.

12 Q. YOU'RE INVOLVED IN OTHER LITIGATION?

13 A. INVOLVED IN OTHER MATTERS IN WHICH I'M
14 REPRESENTED BY LAWYERS.

15 Q. ARE YOU A DEFENDANT IN ANY OTHER ACTIONS OTHER
16 THAN RELATED TO THE CHURCH OF SCIENTOLOGY?

17 A. NO.

18 Q. ARE YOU A PLAINTIFF IN ANY ACTIONS OTHER THAN
19 THOSE RELATED IN SOME WAY TO THE CHURCH OF SCIENTOLOGY?

20 A. NO.

21 Q. IS THERE ANY KIND OF CRIMINAL PROSECUTION THEN?

22 A. NO.

23 Q. SO THE MATTERS THAT YOU'RE TALKING ABOUT HAVE
24 NOTHING TO DO WITH LITIGATION?

25 A. CORRECT.

26 Q. SO WOULD YOU SAY FORD GREENE IS YOUR LEAD COUNSEL

1 IN THE ACTIONS WHERE YOU'RE DEFENDING YOURSELF, I TAKE IT,
2 AGAINST THE CHURCH OF SCIENTOLOGY?

3 A. YES.

4 Q. DO THESE ACTIONS HAVE TO DO WITH THIS AGREEMENT
5 YOU'VE DISCUSSED IN THIS DEPOSITION?

6 A. YES.

7 Q. IS THIS ACTION AGAINST SEVENTEEN AGENTS ALSO
8 RELATING TO YOUR AGREEMENT OR YOU IN ANY WAY PERSONALLY?

9 A. IT'S RELATED.

10 Q. ARE YOU A NAMED DEFENDANT?

11 A. NO.

12 Q. BUT YOU HAVE A LAWYER REPRESENTING YOU IN THAT
13 CASE?

14 A. NOT -- I'M NOT NAMED IN THE CASE.

15 Q. BUT DO YOU HAVE A LAWYER FOR PURPOSES OF
16 REPRESENTATION IN THIS CASE AGAINST SEVENTEEN AGENTS?

17 A. YES.

18 Q. AND WHO IS THAT?

19 A. FORD GREENE.

20 Q. OKAY. NOW, DO YOU HAVE A FEE ARRANGEMENT WITH
21 FORD GREENE FOR HIS REPRESENTATION OF YOU IN THESE CASES?

22 A. WE HAVE DISCUSSED IT BUT NOT CONCLUDED IT.

23 Q. AND WHAT IS IT THAT YOU OWE FORD GREENE OR WILL
24 OWE FORD GREENE FOR HIS SERVICES?

25 A. AS I SAY, WE HAVE DISCUSSED IT BUT HAVE NOT
26 CONCLUDED IT AND I WON'T GO FURTHER INTO OUR FEE

1 ARRANGEMENT.

2 Q. WELL, THE PROBLEM IS THAT FORD GREENE HAS A
3 RELATIONSHIP TO THIS CASE, AS YOU KNOW. AND THE FINANCIAL
4 ARRANGEMENT BETWEEN YOU AND A LAWYER WHO STANDS TO GAIN
5 FINANCIALLY FROM A JURY VERDICT IN THIS CASE IS RELEVANT IN
6 MY OPINION.

7 MR. ELSTEAD: FORD GREENE DOESN'T STAND TO GET
8 ANYTHING FROM A JURY VERDICT.

9 MS. REMMERS: I HAVE NO WAY OF KNOWING THAT.

10 MR. ELSTEAD: I'M REPRESENTING IT TO YOU.
11 THERE'S NO REFERRAL FEE. THERE'S NOTHING.

12 MS. REMMERS: WELL, HE PUT IN A SUBSTANTIAL
13 AMOUNT OF WORK BEFORE HE CEASED BEING THE LAWYER IN THIS
14 CASE, IT'S MY UNDERSTANDING. AND THE PLAINTIFFS HAVE ALL
15 TESTIFIED THAT THEY OWE HIM MONEY. SO YOUR REPRESENTATION
16 SOMEHOW DOESN'T RING WITH WHAT THERE'S BEEN SWORN TESTIMONY
17 OF.

18 MR. ELSTEAD: WHAT YOU SAID DOESN'T FOLLOW FROM
19 THE PREMISE YOU SAID. YOU HAVE TO BE A LITTLE MORE PRECISE
20 WITH YOUR LANGUAGE.

21 MS. REMMERS: IF MONIES ARE OWED, THEN.

22 MR. ELSTEAD: (NODDING HEAD)

23 BY MS. REMMERS: Q. SO I'D LIKE TO KNOW WHAT IT
24 IS THAT YOU WILL BE OWING FORD GREENE FOR SERVICES?

25 MR. ELSTEAD: CORRECT ME IF I'M WRONG. I THOUGHT
26 YOU ASKED HIM, AND I THOUGHT HE UNDERSTOOD IT, YOU WERE

1 ASKING HIM ABOUT HIS FEE ARRANGEMENT OF FORD'S
2 REPRESENTATION OF HIM?

3 MS. REMMERS: THAT'S RIGHT.

4 MR. ELSTEAD: WHAT DOES FORD REPRESENTING HIM IN
5 OTHER CASES HAVE TO DO WITH THE JURY VERDICT OWING IN THIS
6 CASE?

7 MS. REMMERS: YOU HAVE AN EXPERT WITNESS HERE,
8 WHO SHOULD BE A NEUTRAL EXPERT WITNESS, ONE WOULD IMAGINE,
9 WHO MAY HAVE MONIES OWED TO THE FORMER LAWYER IN THIS CASE,
10 WHO IS OWED MONIES BY THE PLAINTIFFS IN THIS CASE. NOW I
11 THINK THAT'S CLOSE ENOUGH.

12 BY MS. REMMERS: Q. SO I AM ENTITLED TO KNOW
13 WHAT YOUR FEE ARRANGEMENT IS?

14 MR. ELSTEAD: YOU CAN ASK HIM. I DON'T KNOW IF
15 YOU'RE ENTITLED. IT'S YOUR CHOICE WHETHER TO ANSWER OR NOT.

16 THE WITNESS: RIGHT, THERE IS NO CONNECTION
17 BETWEEN THIS CASE AND MY FEE ARRANGEMENT WITH FORD GREENE.

18 BY MS. REMMERS: Q. YOU WILL BE PAYING FORD
19 GREENE FOR HIS SERVICE WHEN HE REPRESENTS YOU IN THIS
20 LITIGATION BY THE CHURCH AGAINST YOU; CORRECT?

21 A. HOW THAT WILL BE ARRIVED AT HAS NOT BEEN DECIDED
22 YET.

23 Q. WHAT ARE THE VARIOUS ALTERNATIVES?

24 A. WELL, THAT'S FOR US TO GO INTO. BUT FOR YOUR
25 SITUATION HERE, THERE IS NO CONNECTION BETWEEN THIS CASE AND
26 FORD GREENE'S WORK FOR ME, MY WORK FOR FORD GREENE, OR ANY

1 FEE ARRANGEMENT THAT WE HAVE.

2 Q. WILL YOU USE ANY PORTION OF THE THOUSAND PLUS
3 DOLLARS THAT YOU'LL RECEIVE FOR TESTIFYING HERE TO PAY OFF
4 YOUR DEBT TO FORD GREENE?

5 A. YOU MAKE AN ASSUMPTION THAT I HAVE A DEBT TO FORD
6 GREENE TO BEGIN WITH.

7 Q. IS THAT NOT TRUE? YOU OWE FORD GREENE NO MONEY?

8 A. FORD GREENE'S AND MY RELATIONSHIP HAS NOT BEEN,
9 AS FAR AS HOW WE WILL FINANCE THE WORK THAT WE DO, IT HAS
10 NOT BEEN WORKED OUT YET.

11 Q. SO YOU MAY OWE HIM MONEY OR YOU MAY NOT?

12 A. I MAY NOT.

13 MS. REMMERS: WHY DON'T WE TAKE A BREAK HERE AND
14 CATCH SOME LUNCH?

15 MR. ELSTEAD: ALL RIGHT.

16 MS. REMMERS: IT'S NOW A QUARTER-TO-ONE.

17 MR. ELSTEAD: OKAY.

18 (LUNCHEON RECESS)

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AFTERNOON PROCEEDINGS

TUESDAY, MARCH 3RD, 1992

2:00 P.M.

EXAMINATION (RESUMED):

(DISCUSSION OFF THE RECORD)

(WILLIAM DARDEN LEFT THE ROOM)

MS. REMMERS: BACK ON THE RECORD.

BY MS. REMMERS: Q. NOW, YOU TESTIFIED THAT A
FEW WEEKS BEFORE YOU RECEIVED THE LETTER, THE NOTICE OF
DEPOSITION, YOU HAD HAD, AS YOU SAID, A VERY BRIEF
CONVERSATION WITH MR. ELSTEAD ABOUT YOU BEING A WITNESS?

A. RIGHT.

Q. WHEN WAS THE NEXT TIME YOU TALKED WITH
MR. ELSTEAD ABOUT YOUR BEING A WITNESS IN THIS CASE?

A. WHEW! I GUESS ABOUT TEN DAYS AGO.

Q. DID HE CALL YOU OR DID YOU CALL HIM?

A. I CALLED HIM.

Q. THAT WAS BEFORE YOU GOT THE NOTICE OF DEPOSITION?

A. NO, THAT WAS AFTERWARDS.

Q. AND WHAT DID YOU TALK ABOUT IN THAT PHONE
CONVERSATION?

A. I MADE ARRANGEMENTS TO MEET HIM.

Q. NOW, UP UNTIL THAT TELEPHONE CALL, HAD YOU EVER
MET JIM RUMMONDS OR ANYBODY FROM HIS OFFICE?

1 A. YES.

2 Q. WHEN DID YOU MEET JIM RUMMONDS?

3 A. THE FRIDAY BEFORE THAT.

4 Q. OKAY. DID YOU MEET HIM PERSONALLY?

5 A. YES.

6 Q. WHERE WAS THAT MEETING?

7 A. IN BERKELEY, AT THE OFFICE OF JERRY UDINSKI.

8 Q. WHO IS JERRY UDINSKI?

9 A. I DON'T KNOW.

10 Q. YOU MET MR. RUMMONDS THERE?

11 A. YES.

12 Q. WAS THAT THE FIRST TIME YOU EVER MET HIM?

13 A. YES.

14 Q. HAD YOU EVER TALKED TO HIM OR ANYONE FROM HIS
15 OFFICE BEFORE THIS MEETING?

16 A. YES.

17 Q. WHO HAD YOU MET OR TALKED TO?

18 A. I BELIEVE CAROLYN, WHO'S A PARALEGAL IN THAT
19 FIRM.

20 Q. ANYONE ELSE?

21 A. I DON'T BELIEVE SO.

22 Q. AND WHEN DID YOU FIRST TALK WITH CAROLYN?

23 A. WITHIN A FEW DAYS OF, OR MAYBE A COUPLE OF DAYS
24 OF RECEIPT OF THE NOTICE OF DEPOSITION.

25 Q. A FEW DAYS AFTER THE NOTICE OF DEPOSITION WAS
26 RECEIVED BY YOU?

1 A. RIGHT.

2 Q. DID YOU CALL THE RUMMONDS OFFICE THEN OR DID THEY
3 CALL YOU?

4 A. I THINK -- I THINK THAT WAS THE FIRST CONTACT
5 THAT WAS MADE.

6 Q. HAD YOU AGREED TO TESTIFY ON BEHALF OF STEVEN
7 HUNZIKER AS WELL AS ON BEHALF OF MR. ELSTEAD'S CLIENTS?

8 A. I DON'T -- I DON'T KNOW IF I HAD BEEN ASKED
9 SPECIFICALLY AT THAT TIME, BUT I DID NOT IN MY OWN MIND
10 DIFFERENTIATE BETWEEN THE CLIENTS, ALTHOUGH I KNEW THERE
11 WERE THREE. I THOUGHT THAT IT WAS ON THEIR BEHALF, AND AT
12 THAT TIME I DID NOT KNOW BEYOND THAT.

13 Q. OKAY, SO THEN YOU MET WITH MR. RUMMONDS.

14 DO YOU REMEMBER THE EXACT DATE? IT WAS A FRIDAY?

15 A. YEAH, I BELIEVE I COULD --

16 Q. WE COULD LOOK AT THE DATE YOU GOT YOUR NOTICE,
17 WHICH WAS THE 18TH, IF I REMEMBER CORRECTLY?

18 A. AND THE 18TH IS WHAT?

19 Q. IT'S A TUESDAY.

20 A. OKAY, THEN --

21 Q. FRIDAY IS THE 21ST. IT WOULD HAVE BEEN A WEEK
22 AGO FRIDAY.

23 A. OKAY.

24 Q. IS THAT ACCURATE THEN?

25 A. IF THE 21ST IS A FRIDAY, IT WAS ACCURATE.

26 Q. SO FEBRUARY 21ST IS WHEN YOU FIRST MET JIM

1 RUMMONDS?

2 A. RIGHT.

3 Q. AND THEN THE FIRST TIME YOU TALKED WITH
4 MR. ELSTEAD ABOUT THE CASE, OTHER THAN THE FEW SECONDS WHERE
5 HE TOLD YOU HE HAD LISTED YOU AS A WITNESS, WAS SOMETIME
6 AFTER THE 21ST? WOULD THAT HAVE BEEN THE WEEK OF THE 24TH
7 THEN, THIS LAST WEEK? THE 24TH IS A MONDAY.

8 A. SO IT WAS THE 23RD, ON A SUNDAY.

9 Q. HOW LONG DID YOU TALK WITH JIM RUMMONDS?

10 A. BETWEEN TWO AND THREE HOURS.

11 Q. AND WHO ELSE WAS PRESENT, IF ANYONE?

12 A. FOR A VERY BRIEF TIME, AND ONLY FOR
13 INTRODUCTIONS, AND THEY HAD SOME BUSINESS WHICH I DON'T
14 KNOW, MARGARET SINGER WAS PRESENT.

15 Q. HAVE YOU MET MARGARET SINGER BEFORE THE 23RD OF
16 FEBRUARY, THIS LAST MONTH?

17 A. YES.

18 Q. ON HOW MANY OCCASIONS?

19 A. PERHAPS TEN OR TWELVE.

20 Q. IN WHAT CAPACITY?

21 A. INITIALLY AS A CLIENT.

22 Q. YOU WERE HER CLIENT?

23 A. RIGHT. AND THEN JUST AS FRIENDS AND ASSOCIATES
24 INVOLVED WITH THE ORGANIZATION.

25 Q. YOU MEAN THE CHURCH OF SCIENTOLOGY?

26 A. RIGHT.

1 Q. WHEN DID YOU FIRST MEET MARGARET SINGER?

2 A. APPROXIMATELY APRIL 1985.

3 Q. AND HOW MANY OF THESE APPROXIMATELY TEN TO TWELVE
4 MEETINGS YOU'VE HAD WITH HER WERE AS A CLIENT?

5 A. PERHAPS THREE.

6 Q. AND THAT WAS IN 1985?

7 A. '85 OR '86.

8 Q. WELL, YOU SAID INITIALLY IT WAS AS A CLIENT. SO
9 WAS YOUR FIRST MEETING WITH HER AS A CLIENT?

10 A. NO. INITIALLY, I MET HER WHEN SHE AND I WERE
11 TESTIFYING IN THE CHRISTOFFERSON CASE IN PORTLAND, OREGON.

12 Q. SHE WAS AN EXPERT WITNESS IN THAT CASE?

13 A. I BELIEVE SO.

14 Q. AND THAT'S THE FIRST MEETING YOU HAD WITH HER?

15 A. IT'S THE FIRST TIME I MET HER, YES.

16 Q. AND THEN WHEN DID YOU BECOME A CLIENT?

17 A. SOMETIME AFTER THAT, AND IT WOULD HAVE BEEN LATER
18 IN 1985 AND IN 1986.

19 Q. AND YOU WENT TO HER THREE TIMES, YOU SAID?

20 A. IT COULD HAVE BEEN THREE TIMES, YES.

21 Q. AND FOR HOW LONG A PERIOD OF TIME EACH TIME?

22 A. MAYBE AN HOUR OR TWO.

23 Q. IN HER OFFICE?

24 A. YES.

25 Q. AND THAT WAS FOR THERAPY?

26 A. YEAH, CONSULTATION, UH-HUH.

1 Q. WELL, CONSULTATION? OR WAS IT THERAPY OF SOME
2 KIND?

3 A. I THINK IT WAS CONSULTATION.

4 Q. ABOUT YOUR LAWSUIT?

5 A. ABOUT MY -- ABOUT MY HISTORY, ABOUT MY SITUATION,
6 ABOUT -- YEAH.

7 Q. IN RELATION TO YOUR LAWSUIT WITH THE CHURCH?

8 A. RIGHT.

9 Q. AND WHY DID YOU GO TO HER?

10 A. MY RECOLLECTION IS SHE WAS CONTACTED BY MY
11 LAWYERS, AND IT WAS SET UP BY THE LAWYERS AT THE TIME.

12 Q. SO YOU DIDN'T GO TO SEE HER FOR ANY KIND OF
13 PSYCHOTHERAPY OR ANY MENTAL THERAPY?

14 A. CORRECT.

15 Q. HOW MANY TIMES HAVE YOU SEEN MARGARET SINGER IN
16 THE LAST YEAR?

17 A. I BELIEVE FIVE.

18 Q. AND WHERE HAVE THOSE MEETINGS BEEN?

19 A. ONCE IN THE HUB LAW OFFICE. ONCE FOR DINNER.
20 ONCE FOR COFFEE. THE MEETING AT JERRY UDINSKI'S OFFICE.
21 THAT MAY BE ALL. THERE MAY BE ANOTHER ONE, BUT THAT'S WHAT
22 COMES TO MIND.

23 Q. WAS ANYONE BUT MARGARET SINGER PRESENT WITH
24 MR. RUMMONDS AND YOURSELF ON THE 23RD OF FEBRUARY?

25 A. NO.

26 Q. AND WHO WAS PRESENT IN THE HUB LAW OFFICE WHEN

1 YOU MET WITH MARGARET SINGER THIS YEAR OR IN THE LAST YEAR?

2 A. IT WAS AT A PARTY, SO THERE WERE A LOT OF PEOPLE.

3 Q. A PARTY GIVEN BY FORD GREENE?

4 A. RIGHT.

5 Q. WHEN WAS THAT?

6 A. DECEMBER 1991.

7 Q. AND YOU SAY ONCE FOR DINNER.

8 WHO WAS PRESENT THEN?

9 A. FORD.

10 Q. ANYONE ELSE?

11 A. NO.

12 Q. WERE YOU TALKING ABOUT BUSINESS?

13 A. I DON'T KNOW WHAT YOU MEAN BY "BUSINESS."

14 Q. WELL, WERE YOU TALKING ABOUT A CASE THAT YOU
15 MIGHT HAVE HAD IN COMMON OR WAS IT JUST A SOCIAL DINNER?

16 A. IT WAS PRINCIPALLY SOCIAL.

17 Q. WHEN WAS THAT?

18 A. EITHER IN JANUARY OR FEBRUARY. I BELIEVE
19 JANUARY.

20 Q. OF THIS YEAR?

21 A. YES.

22 Q. WAS ANYONE ELSE PRESENT?

23 A. OTHER THAN WHOM?

24 Q. YOU, FORD GREENE AND MARGARET SINGER.

25 A. NO.

26 Q. DID YOU TALK ABOUT ANY CASES AT ALL, ANY PIECE OF

1 LITIGATION INVOLVING THE CHURCH IN ANY WAY AT THIS DINNER?

2 A. I DON'T HAVE ANY RECOLLECTION OF IT.

3 Q. AND YOU SAY YOU MET WITH HER FOR COFFEE.

4 WHEN WAS THAT?

5 A. IN OCTOBER 1991.

6 Q. AND WHERE WAS THAT?

7 A. IN OAKLAND.

8 Q. WAS ANYONE ELSE PRESENT?

9 A. NO.

10 Q. AND WHAT DID YOU TALK ABOUT IN THAT MEETING?

11 MR. ELSTEAD: IF YOU DON'T REMEMBER, THAT'S
12 ACCEPTABLE.

13 THE WITNESS: THE ONLY THING I REMEMBER WAS A
14 DISCUSSION OF A GUY BY THE NAME OF PAUL GUTFREUND,
15 G-U-T-F-R-E-U-N-D.

16 BY MS. REMMERS: Q. WHAT ABOUT PAUL GUTFREUND DO
17 YOU RECALL BEING DISCUSSED?

18 A. THE FACT THAT PAUL WAS MAKING SOME VERY
19 OUTRAGEOUS ALLEGATIONS AT THAT TIME AND --

20 MR. ELSTEAD: WE HAVE TO TAKE A 15-MINUTE RECESS
21 FOR JUST A SECOND HERE.

22 (RECESS FROM 2:15 P.M. TO 2:30 P.M.)

23 BY MS. REMMERS: Q. OKAY, SO WE WERE TALKING
24 ABOUT YOUR MEETING WITH JIM RUMMONDS WHO WAS JUST HERE.

25 YOU JUST SAW JIM RUMMONDS IN THE OFFICE, I TAKE
26 IT?

1 A. NO! THAT WAS RUMMONDS? GO AHEAD.

2 MR. ELSTEAD: THAT WAS GOOD.

3 BY MS. REMMERS: Q. HAVE YOU SEEN JIM RUMMONDS
4 BETWEEN THE MEETING YOU'RE DESCRIBING NOW IN BERKELEY AND
5 TODAY?

6 A. NO.

7 Q. OKAY, NOW YOU WERE DESCRIBING THIS MEETING THAT
8 YOU HAD ON FRIDAY, THE 21ST, WITH JIM RUMMONDS.

9 CAN YOU TELL ME WHAT YOU RECALL TALKING ABOUT?
10 IN OTHER WORDS, LET ME MAKE IT EASIER. WHAT DID
11 MR. RUMMONDS, IF ANYTHING, ASK YOU TO TESTIFY ABOUT?

12 A. PRINCIPALLY, WHAT HAPPENED DURING MOST OF THAT
13 TIME WAS MY RECITATION OF MY HISTORY IN THE ORGANIZATION AND
14 HISTORY OF LITIGATION INVOLVING THE ORGANIZATION.

15 Q. DID MR. --

16 A. AND HE ASKING ME WITHIN THAT A FEW DIRECTIONAL
17 QUESTIONS OR ASKING FOR CLARIFICATION AS I LAID OUT MY
18 HISTORY.

19 Q. OKAY. DID HE AT ANY POINT IN YOUR CONVERSATION
20 ASK YOU TO TESTIFY AS AN EXPERT ON ANY PARTICULAR TOPIC?

21 A. I DON'T RECALL HIM ASKING THAT SPECIFIC QUESTION,
22 BUT I DO RECALL DISCUSSING WHAT I WOULD TESTIFY TO AS AN
23 EXPERT.

24 Q. DO YOU RECALL WHAT HE ASKED YOU, IF ANYTHING?
25 DID HE ASK YOU WHAT YOU WOULD BE ABLE TO DISCUSS OR TESTIFY
26 TO?

1 A. HE MAY HAVE ASKED SOMETHING LIKE THAT, BUT IN ANY
2 CASE WE ARRIVED AT MY STATEMENT, KNOWING WHAT I KNEW OF THE
3 CASE UP TO THAT TIME.

4 Q. WHAT DID YOU KNOW OF THE CASE UP TO THAT TIME? I
5 THOUGHT NOBODY HAD REALLY TALKED TO YOU ABOUT THE CASE YET,
6 EXCEPT IN PASSING IN FORD GREENE'S OFFICE?

7 A. WELL, I LEARNED FROM HIM WHAT -- WHATEVER I
8 LEARNED ABOUT THE CASE UP TO THAT TIME.

9 Q. WHAT DID MR. RUMMONDS TELL YOU ABOUT THE CASE?

10 A. THAT THE THREE PEOPLE HAD BEEN WORKING FOR
11 APPLIED MATERIALS; THAT ONE OF THEM, I BELIEVE, HAD TAKEN A
12 COURSE; THAT TWO OF THEM WERE ORDERED TO TAKE A COURSE; AND
13 THAT ALL OF THEM DISCOVERED THAT THE COURSE THEY WERE BEING
14 ASKED TO TAKE OR HAD TAKEN WAS SCIENTOLOGY; AND IT WAS BEING
15 PRESENTED BY A COMPANY CALLED APPLIED SCHOLASTICS.

16 Q. HE TOLD YOU THAT APPLIED SCHOLASTICS HAD
17 PRESENTED THE COURSES THAT ALL THREE WERE INVOLVED WITH, THE
18 COURSE THE ONE TOOK, AND THE OTHER TWO --

19 A. THAT'S MY RECOLLECTION AT THIS TIME. IN ANY CASE
20 I LEARNED THAT APPLIED SCHOLASTICS WAS INVOLVED, THAT
21 APPLIED SCHOLASTICS WAS OFFERING -- PRESENTING COURSES, THAT
22 THE -- AND THAT WHEN THE THREE PEOPLE OBJECTED TO THE
23 SCIENTOLOGY CONNECTION, THEIR LIFE IN THE COMPANY WAS MADE
24 VERY DIFFICULT, AND FINALLY THEY WERE MOVED OUT OF THE
25 COMPANY.

26 Q. DID MR. RUMMONDS TELL YOU HOW THEY WERE MOVED

1 OUT?

2 A. I DON'T RECALL IF HE WENT INTO SPECIFICS AT THAT
3 TIME OR NOT.

4 Q. WELL, HAS ANYBODY TOLD YOU SUBSEQUENTLY HOW THEY
5 WERE MOVED OUT OF THE COMPANY?

6 A. I HAVE TALKED AT SOME LENGTH TO VIRGINIA AND TO
7 STEVEN.

8 Q. LET'S GO BACK TO WHAT MR. RUMMONDS TOLD YOU ON
9 YOUR MEETING ON THE 21ST. HE TOLD YOU THEY WERE MOVED OUT
10 OF THE COMPANY.

11 WHAT ELSE DID HE TELL YOU ABOUT THE CASE?

12 A. AT THAT TIME HE GAVE ME A -- ONE OF THOSE
13 DOCUMENTS, WHICH I GAVE TO YOU, WHICH WAS A GLOSSARY OF
14 TERMS. AND I LOOKED OVER THE GLOSSARY OF TERMS AND FOUND
15 THAT IF THAT GLOSSARY OF TERMS WAS INDEED A GLOSSARY THAT
16 WAS GIVEN IN ONE OF THE COURSE PACKS BY APPLIED SCHOLASTICS,
17 THEN IT WAS INDEED SCIENTOLOGY BECAUSE THE TERMS CAME RIGHT
18 OUT OF SCIENTOLOGY LITERATURE.

19 Q. WHEN YOU SAY SCIENTOLOGY, DO YOU MEAN L. RON
20 HUBBARD'S RELIGIOUS TEACHINGS?

21 A. IT WOULD BE BETTER TO SAY THAT CAME OUT OF THE
22 MATERIALS WHICH THE SCIENTOLOGY ORGANIZATION REPRESENTS AS
23 SCRIPTURES OF L. RON HUBBARD.

24 Q. SO YOU'RE SAYING THE GLOSSARY IS PART OF THE
25 CHURCH OF SCIENTOLOGY'S RELIGIOUS SCRIPTURE?

26 A. AS WHAT THEY CALL THEIR RELIGIOUS SCRIPTURE, YES.

1 Q. AND I TAKE IT YOU DISAGREE, THIS IS NOT RELIGIOUS
2 SCRIPTURE?

3 A. RIGHT.

4 Q. DO YOU BELIEVE THAT THE CHURCH OF SCIENTOLOGY HAS
5 ANY RELIGIOUS FOUNDATION?

6 A. WELL, WE ALL HAVE A RELIGIOUS FOUNDATION.

7 Q. DO YOU BELIEVE THE CHURCH OF SCIENTOLOGY IS A
8 RELIGION?

9 A. NO.

10 Q. DO YOU BELIEVE THEY HAVE RELIGIOUS TEACHINGS?

11 A. NO, THEY ARE -- THEIR TEACHINGS ARE OPPOSITE TO
12 RELIGION.

13 Q. WHAT DO YOU MEAN BY THAT?

14 A. SCIENTOLOGY IS FOUNDED ON A PRINCIPLE OF FAIR
15 GAME, ATTACK, CONDEMNATION, VILIFICATION, ENEMIES, WAR.
16 THAT IS ANTITHETICAL TO RELIGION.

17 Q. BUT YOU WOULD AGREE THAT MANY, IF NOT ALL OR MOST
18 CHURCH MEMBERS DO BELIEVE THEY HAVE RELIGIOUS TEACHINGS, OR
19 WOULD YOU DISAGREE WITH THAT?

20 A. ONE OF THE TENETS OF SCIENTOLOGY IS THAT IT IS
21 NOT BASED UPON BELIEF. FAITH AND BELIEF PLAY NO PART IN
22 SCIENTOLOGY. SO IN THAT SENSE, WHEN THEY STATE THEIR
23 BELIEFS, THEY ARE CONTRADICTING THEIR OWN PHILOSOPHY.

24 Q. SO YOU BELIEVE THE CHURCH HAS NO RELIGIOUS
25 PHILOSOPHY?

26 A. THE CHURCH, AS IT IS PRESENTLY OPERATED, IS NOT A

1 RELIGION.

2 Q. WHY DO YOU SAY THAT?

3 A. BECAUSE IT IS CONDEMNATORY, AND THAT'S NOT
4 RELIGION.

5 Q. SO BY YOUR DEFINITION OF RELIGION, IF AN
6 ORGANIZATION IS "CONDEMNATORY," QUOTE, UNQUOTE, IT CANNOT BE
7 A RELIGION?

8 A. I'LL EXPLAIN IT. CONDEMNATION CAN BE DONE BY
9 ANYONE. COURTS CONDEMN PEOPLE. COUNTRIES ATTACK AND
10 CONDEMN OTHER COUNTRIES. POLITICIANS CONDEMN AND ATTACK
11 OTHER POLITICIANS AND OTHER PEOPLE.

12 NONE OF THOSE ACTS, AND THE PHILOSOPHY IT SPRINGS
13 FROM, IS RELIGIOUS. FOR IT TO BE A RELIGION, IT WOULD HAVE
14 TO BE FORGIVING BECAUSE FORGIVENESS CAN ONLY BE DONE BY THE
15 RELIGIOUS. ANYTHING ELSE CAN BE DONE BY ANYONE.

16 ANY BUSINESS CAN CONDEMN AND ANY BUSINESS CAN
17 FORGIVE. IF A BUSINESS FORGIVES, IT'S A RELIGIOUS BUSINESS.
18 AND FORGIVENESS IS THE RECOGNITION THAT THAT WHICH NEEDS TO
19 BE FORGIVEN DIDN'T HAPPEN. SCIENTOLOGY USES PEOPLE'S PASTS
20 TO ATTACK THEM. IT'S NOT RELIGIOUS.

21 Q. SO YOUR DEFINITION OF RELIGION IS FORGIVENESS?

22 A. FORGIVENESS IS THE ACT OF RELIGION.

23 Q. SO YOUR DEFINITION OF RELIGIOUS IS ACTS OF
24 RELIGION; IN OTHER WORDS, FORGIVENESS?

25 A. FORGIVENESS, RIGHT. FOR A RELIGION TO BE
26 RELIGIOUS, IT MUST FORGIVE. ANYONE ELSE CAN CONDEMN BUT

1 ONLY THE RELIGIOUS CAN FORGIVE.

2 Q. WHO MUST A RELIGION FORGIVE IN ORDER TO BE A
3 RELIGION, IN YOUR OPINION?

4 A. ANYONE SIMPLY MUST FORGIVE THAT WHICH CRIES OUT
5 FOR FORGIVENESS.

6 Q. AND HOW DOES THE PERSON ENGAGING IN RELIGION
7 DETERMINE WHETHER SOMETHING IS CRYING OUT FOR FORGIVENESS?

8 A. I GUESS BY THE CALL TO ATTACK IT.

9 Q. WHAT DO YOU MEAN BY THAT?

10 A. IF THERE'S AN URGE TO ATTACK WHAT NEEDS TO BE
11 FORGIVEN, THAT WOULD BE A CLEAR SIGN THAT IT SHOULD BE
12 FORGIVEN.

13 Q. CAN YOU DESCRIBE FOR ME WHAT YOU MEAN IN
14 PRACTICAL EVERY DAY LIFE, WHEN YOU SAY BY A CALL TO ATTACK,
15 THAT WOULD BE THE SIGNAL THAT SOMEBODY OUGHT TO DO A
16 RELIGIOUS ACT, TO FORGIVE?

17 A. RIGHT, THE RELIGIOUS ACT WOULD BE FORGIVENESS.
18 SCIENTOLOGY, TO BE A RELIGION, MUST NOT ACCUMULATE --
19 ACCUMULATE FILES ON PEOPLE, USE THEIR PASTS AGAINST THEM,
20 AND ATTACK THEM ON THE BASIS OF WHAT'S IN THE PAST.

21 TO BE A RELIGION, THEY MUST NOT USE PEOPLES'
22 PASTS BUT MUST FORGIVE THEM THEIR PAST. UNTIL THEY DO THAT,
23 THEY CAN'T BE A RELIGION. AND THEIR ACTS OF CONDEMNATION
24 AND USE OF THE PAST ARE THE OPPOSITE FROM FORGIVENESS.

25 Q. HAS THE CHURCH OF SCIENTOLOGY USED YOUR PAST IN A
26 WAY TO HURT YOU?

1 A. IT USES MY PAST, YES.

2 Q. HAVE YOU FORGIVEN THE CHURCH OF SCIENTOLOGY FOR
3 THE USE OF YOUR PAST?

4 A. I'D DO THAT.

5 Q. SO WOULD YOU SAY RIGHT NOW YOU HAVE FORGIVEN THE
6 CHURCH?

7 A. I'M CONTINUALLY CALLED UPON TO DO THAT.

8 Q. AND DO YOU CONTINUALLY FORGIVE?

9 A. CONTINUALLY.

10 Q. AND DO YOU FORGIVE INDIVIDUALS WITHIN THE CHURCH
11 OF SCIENTOLOGY WHO HAVE USED YOUR PAST AGAINST YOU?

12 A. UH-HUH.

13 Q. NOW, AS I UNDERSTAND IT FROM YOUR RESUME, YOU ARE
14 THE FOUNDER . . .

15 MR. ELSTEAD: JUST KEEP GOING.

16 BY MS. REMMERS: Q. . . . OF THE GERALD
17 ARMSTRONG CORPORATION?

18 A. YES.

19 Q. AND WHAT IS THAT?

20 A. IT'S A CORPORATION.

21 Q. WHAT'S ITS BUSINESS?

22 A. PHILOSOPHIC SERVICES.

23 Q. WHAT DOES THAT MEAN?

24 A. THE GERALD ARMSTRONG CORPORATION HAS -- POSSESSES
25 MY WRITINGS, RIGHTS TO VARIOUS OF MY PRODUCTS, MY ART.

26 Q. RIGHTS TO VARIOUS OF YOUR PRODUCTS.

1 WHAT DO YOU MEAN BY THAT?

2 A. MY PRODUCTS. I HAVE INVENTED SOME THINGS AND
3 CREATED SOME ART, AND IT HOLDS THESE PRODUCTS. THAT MAINLY
4 IS INVOLVED IN PHILOSOPHIC SERVICES. IT HAS A PHILOSOPHIC
5 RESPONSE TO REQUESTS FOR HELP.

6 Q. ARE THERE ANY EMPLOYEES OF THE GERALD ARMSTRONG
7 CORPORATION?

8 A. I AM ITS PRESENT SOLE EMPLOYEE.

9 Q. AND DO YOU RECEIVE SOME KIND OF PAYMENT FOR
10 SERVICES RENDERED TO THE GERALD ARMSTRONG CORPORATION?

11 A. I HAVE NOT RECEIVED ANY WAGES. IT HAS PICKED UP
12 EXPENSES IN CONNECTION WITH WORK I'VE DONE.

13 Q. ARE YOU PAID AS AN EMPLOYEE OF GERALD ARMSTRONG
14 CORPORATION BY ANYONE OR HAVE YOU EVER BEEN FOR ANY SERVICES
15 WHATSOEVER?

16 A. ONLY AS I'VE EXPLAINED TO YOU.

17 Q. WHAT? YOU HAVEN'T TOLD ME HOW YOU'VE BEEN PAID.

18 A. THAT I HAVE RECEIVED NO WAGES. THE CORPORATION
19 COVERS CERTAIN EXPENSES.

20 Q. BUT I WAS ASKING FROM THIRD PARTIES, HAS THE
21 GERALD ARMSTRONG CORPORATION RECEIVED ANY REMUNERATION FOR
22 YOUR SERVICES WHATSOEVER?

23 A. YES, IT HAS.

24 Q. FROM WHOM?

25 A. I WOULD ASSERT A RIGHT OF PRIVACY WITH REGARDS TO
26 WHO THE CLIENTS OF THE GERALD ARMSTRONG CORPORATION ARE OR

1 HAVE BEEN.

2 Q. ARE THEY ATTORNEYS INVOLVED IN LITIGATION WITH
3 THE CHURCH OF SCIENTOLOGY?

4 A. AGAIN, I -- I DON'T BELIEVE THAT IT'S RELEVANT TO
5 THIS CASE, AND I WILL NOT GO INTO FURTHER DISCUSSIONS OF WHO
6 THE CLIENTS OF THE CORPORATION ARE.

7 Q. WELL, MR. ARMSTRONG --

8 MR. ELSTEAD: I'M SORRY, I'M NOT GOING TO
9 ENTERTAIN YOU ARGUING WITH HIM. IF HE'S RIGHT, HE'S RIGHT.
10 IF HE'S WRONG, HE'S WRONG.

11 MS. REMMERS: I WANTED TO LAY A FOUNDATION.

12 MR. ELSTEAD: YOU'RE NOT GOING TO BADGER HIM INTO
13 THAT.

14 BY MS. REMMERS: Q. WHAT I'M TALKING ABOUT HERE,
15 MR. ARMSTRONG, IS UNDERSTANDING WHETHER PEOPLE HAVE PAID
16 YOUR CORPORATION INSTEAD OF YOU, WHICH IS A TECHNICALITY,
17 FOR SERVICES RENDERED IN RELATION TO ANY LAWSUITS, PRESENT
18 OR FORMER, INVOLVING THE CHURCH OF SCIENTOLOGY? AT THE
19 MOMENT, I'M NOT ASKING YOU WHO --

20 A. AND, AGAIN, I BELIEVE THAT THE CORPORATION HAS A
21 RIGHT OF PRIVACY WITH REGARDS TO ITS BUSINESS.

22 Q. YOU ARE THE CORPORATION. YOU'RE THE SOLE
23 EMPLOYEE. SO THE SERVICES THAT YOU'VE RENDERED --

24 MR. ELSTEAD: CYNTHIA, WAIT, PLEASE DON'T
25 MISREPRESENT TO THIS WITNESS. THE FACT THAT A CORPORATION
26 IS ONE PERSON DOES NOT MAKE HIM THE CORPORATION ANY MORE

1 THAN IF IT'S 10,000 PEOPLE. IT'S A SIMPLE ENTITY THAT --

2 MS. REMMERS: IT IS UNLESS THE VEIL HAS BEEN
3 PIERCED.

4 MR. ELSTEAD: THE VEIL HAS NOT BEEN PIERCED AT
5 THIS POINT.

6 BY MS. REMMERS: Q. GOING BACK, YOU DID TELL ME
7 THAT YOU HAD BEEN PAID, WITHOUT IDENTIFYING WHO, THAT YOU
8 HAD BEEN PAID FOR SOME SERVICES INVOLVED IN LITIGATION WITH
9 THE CHURCH OF SCIENTOLOGY THROUGH THIS CORPORATION?

10 A. NO, I DIDN'T SAY THAT, AND I BELIEVE YOU'VE --
11 YOU'VE HUNG TOGETHER A NUMBER OF FACTS WHICH AREN'T IN FRONT
12 OF US RIGHT NOW. THE CORPORATION HAS NOT PAID ME A WAGE.

13 Q. RIGHT.

14 A. I HAVE RECEIVED ASSISTANCE WITH -- WITH CERTAIN
15 EXPENSES WHICH I HAVE HAD IN CONNECTION WITH WORK DONE FOR
16 THE CORPORATION.

17 Q. AND HOW MANY SHAREHOLDERS ARE THERE OF THE
18 CORPORATION?

19 A. I DECLINE TO ANSWER THAT.

20 Q. IS MR. ELSTEAD A SHAREHOLDER?

21 A. NO.

22 Q. ARE THERE OTHER ATTORNEYS THAT HAVE BEEN INVOLVED
23 WITH LITIGATION WITH THE CHURCH OF SCIENTOLOGY WHO HAVE
24 PURCHASED SHARES OF THE CORPORATION?

25 A. I -- I DON'T THINK THAT IT IS RIGHT OR PROPER,
26 AND THE CORPORATION HAS A RIGHT TO PRIVACY IN THIS MATTER.

1 Q. WOULD YOU DESCRIBE THE KINDS OF JOBS THAT YOU
2 HAVE DONE AS THE SOLE EMPLOYEE OF GERALD ARMSTRONG
3 CORPORATION FOR THE CLIENTS OF GERALD ARMSTRONG CORPORATION?

4 A. I HAVE COUNSELED THEM.

5 Q. IN WHAT MATTERS? YOU COUNSELED ABOUT WHAT?

6 A. FOR MATTERS THAT THEY BROUGHT TO MY ATTENTION.

7 Q. OTHER THAN COUNSELED REGARDING MATTERS BROUGHT TO
8 YOUR ATTENTION, WHAT KINDS OF SERVICES HAVE YOU PROVIDED AS
9 AN EMPLOYEE OF THE GERALD ARMSTRONG CORPORATION?

10 A. I HAVE DONE, INASMUCH AS WAS POSSIBLE, WHATEVER I
11 COULD TO HELP THOSE PEOPLE WHO ASKED FOR MY HELP.

12 Q. WHEN YOU SAY --

13 MR. ELSTEAD: JUST ONE SECOND. I HAVE TO GET
14 SOME SUGAR; I'LL BE RIGHT BACK.

15 (DISCUSSION OFF THE RECORD)

16 MR. ELSTEAD: ALL RIGHT.

17 BY MS. REMMERS: Q. WHEN YOU SAY YOU HAVE DONE
18 THINGS TO HELP THEM, WHAT KINDS OF THINGS?

19 A. I'VE WRITTEN THINGS. I'VE DRAWN THINGS.

20 Q. WHEN YOU SAY "WRITTEN," DOES THAT INCLUDE
21 DECLARATIONS IN LITIGATION?

22 A. NO.

23 Q. WHAT KINDS OF THINGS HAVE YOU WRITTEN?

24 A. I WRITE PHILOSOPHY.

25 Q. HAS ANYTHING EVER BEEN PUBLISHED?

26 A. NOT WHAT I WOULD CONSIDER THE PHILOSOPHY END OF

1 THINGS.

2 Q. HAVE YOU EVER HAD ANYTHING PUBLISHED THAT YOU'VE
3 WRITTEN?

4 A. YEAH, THERE HAVE BEEN CERTAIN BITS, SMALL BITS
5 THAT HAVE BEEN PICKED UP IN JOURNALS OR NEWSPAPERS.

6 Q. CAN YOU GIVE ME A LIST OF THOSE, PLEASE . . .

7 A. OH, I CAN'T.

8 Q. . . . ANYTHING YOU'VE PUBLISHED?

9 A. I CAN'T RIGHT NOW.

10 Q. YOU CAN'T THINK OF EVEN ONE THING YOU'VE
11 PUBLISHED OR EVEN ONE BIT THAT'S BEEN PICKED UP?

12 A. OH, OKAY. THERE ARE SOME BITS FROM A MAGAZINE, A
13 TABLOID CALLED "FREEDOM."

14 Q. WHAT ISSUE OR IS IT MORE THAN ONE ISSUE?

15 A. THERE ARE A COUPLE ISSUES, BUT 1985.

16 Q. THEY'RE WHOLE ARTICLES THAT YOU'VE WRITTEN THAT
17 APPEAR IN "FREEDOM"?

18 A. I DON'T THINK IT'S A WHOLE ARTICLE, BUT THERE'S A
19 GREAT DEAL OF SPACE GIVEN TO MY WORK.

20 Q. AND IT APPEARED IN MORE THAN ONE ISSUE OF
21 "FREEDOM" IN 1985?

22 A. RIGHT.

23 Q. WHAT ELSE HAS BEEN PICKED UP?

24 A. I THINK THE ONLY OTHER ACTUAL PUBLISHED
25 STATEMENTS COME FROM THE BRECKENRIDGE DECISION AND THE COURT
26 OF APPEAL DECISION IN CFS V. ARMSTRONG.

1 Q. WELL, THOSE DECISIONS DON'T CONTAIN YOUR
2 WRITINGS, DO THEY?

3 A. YEAH, THERE ARE PIECES OF MY WRITINGS IN THERE.

4 Q. PIECE OF YOUR TESTIMONY OR PIECE OF YOUR WRITING?

5 A. WRITING.

6 Q. YOUR PHILOSOPHY?

7 A. THE BEGINNINGS OF IT.

8 Q. WHAT DO YOU RECALL BEING QUOTED IN THE
9 BRECKENRIDGE DECISION THAT IS THE BEGINNINGS OF YOUR
10 PHILOSOPHY?

11 A. IT'S A STATEMENT CONCERNING THE NEED FOR HONESTY
12 WITH REGARDS TO L. RON HUBBARD AND HIS PAST AND CLAIMS BEING
13 MADE BY THE ORGANIZATION.

14 Q. AND THAT'S WHAT YOU MEAN WHEN YOU SAY
15 "PHILOSOPHY"?

16 A. I'M NOT SURE WHAT YOU MEAN, WHEN I SAY
17 "PHILOSOPHY."

18 Q. WELL, YOU JUST DESCRIBED -- YOU SAID IT WAS THE
19 BEGINNINGS OF YOUR PHILOSOPHY. I'M SAYING, IS THAT WHAT YOU
20 MEAN?

21 A. I DO MEAN THAT IT'S THE BEGINNINGS OF MY
22 PHILOSOPHY.

23 Q. SO THAT THE STATEMENT THAT IS -- THAT APPEARS IN
24 THE BRECKENRIDGE DECISION IS A STATEMENT OF YOUR PHILOSOPHY,
25 IS WHAT YOU'RE SAYING?

26 A. NO.

1 Q. SO THE STATEMENT THAT YOU DESCRIBED TO ME ABOUT
2 THE NEED FOR HONESTY WITH L. RON HUBBARD --

3 A. THAT WAS THE BEGINNING OF MY PHILOSOPHY. THE
4 BEGINNINGS, IN THE EARLY DAYS, WHEN IT WAS BEGINNING TO
5 DEVELOP.

6 Q. AND YOUR PHILOSOPHY HAS DEVELOPED, WOULD YOU SAY,
7 SUBSTANTIALLY SINCE THAT TIME?

8 A. YEAH.

9 Q. BUT THERE'S NO PUBLISHED WRITING OF YOUR
10 PHILOSOPHY?

11 A. NO.

12 Q. AND DO YOU HAVE ANY ART THAT HAS BEEN PURCHASED
13 BY ANYONE IN PARTICULAR?

14 A. I HAVE HAD SOME ART PURCHASED, YES.

15 Q. DO YOU HAVE ART THAT HANGS IN A GALLERY ANYWHERE,
16 PUBLIC GALLERY?

17 A. I DON'T KNOW.

18 Q. WHAT KIND OF ART DO YOU DO?

19 A. IT'S GENERALLY PEN AND INK, AND WATER COLORS AND
20 PENCIL CRAYONS.

21 Q. DO YOU SELL YOUR WORK NOW? IS THAT WHAT YOU DO
22 TO EARN A LIVING IN PART?

23 A. I HAVE A NUMBER OF THINGS THAT I DO.

24 Q. IS THAT ONE OF THEM, SELLING ART?

25 A. YES.

26 Q. HAVE YOU SOLD ART TO ANY OF THE LAWYERS INVOLVED

1 IN ANY OF THIS SCIENTOLOGY LITIGATION?

2 A. I -- I DON'T BELIEVE SO.

3 Q. NOW, WHEN YOU SAY THAT YOU'VE COUNSELED MATTERS,
4 PEOPLE ON MATTERS THAT THEY BRING TO YOUR ATTENTION, DO YOU
5 MEAN RELIGIOUS MATTERS THAT THEY BRING TO YOUR ATTENTION?

6 A. WELL, IF YOU MEAN THAT MATTERS WHICH REQUIRE
7 FORGIVENESS ARE RELIGIOUS MATTERS, THEN YES.

8 Q. NOW, YOU'VE ALSO FOUNDED THE ORGANIZATION OF
9 UNITED RENUNCIANTS?

10 A. RIGHT.

11 Q. AND YOU'RE THE FOUNDER OF RUNNERS AGAINST TRASH.
12 YOU HAVE A LITTLE "R" AFTER BOTH THOSE. WHAT
13 DOES THAT MEAN?

14 A. OH, THAT'S JUST SO THAT YOU OR SCIENTOLOGY DON'T
15 RUN OUT AND DO ANYTHING WITH THOSE NAMES.

16 Q. YOU MEAN YOU'RE ATTEMPTING TO COPYRIGHT THE NAME
17 THERE?

18 A. YEAH, THOSE ARE MY NAMES. THOSE ARE OWNED.

19 Q. YOU'VE REGISTERED THEM SOMEWHERE?

20 A. YES.

21 Q. WHERE?

22 A. WHENEVER I WRITE IT IN ALL OF MY LITERATURE, I
23 PUT THAT.

24 Q. OKAY, WHAT IS THE ORGANIZATION OF UNITED
25 RENUNCIANTS? IS IT A CORPORATION?

26 A. NO.

1 Q. WHAT IS IT ORGANIZATIONALLY?

2 A. IT'S AN ASSOCIATION.

3 Q. DOES IT HAVE OFFICERS?

4 A. YES.

5 Q. IS IT A NONPROFIT ORGANIZATION?

6 A. YES.

7 Q. IS IT REGISTERED WITH THE STATE OR ANY
8 JURISDICTION?

9 A. NO.

10 Q. WHO ARE THE OFFICERS?

11 A. I AM.

12 Q. WHAT IS YOUR TITLE?

13 A. FOUNDER.

14 Q. DO YOU HAVE ANOTHER TITLE?

15 A. NO.

16 Q. ARE THERE ANY OTHER OFFICERS?

17 A. NO.

18 Q. ARE THERE ANY MEMBERS?

19 A. YES.

20 Q. HOW MANY?

21 A. SEVERAL.

22 Q. HOW MANY APPROXIMATELY?

23 A. I AM NOT SURE.

24 Q. OVER TEN?

25 A. YES.

26 Q. LESS THAN A HUNDRED?

1 A. AT PRESENT, YES.

2 Q. HAVE THERE BEEN MORE THAN A HUNDRED AT ONE POINT?

3 A. NO, BUT THERE WILL BE AT SOME POINT.

4 Q. IS THAT BECAUSE YOU'RE ON A GROWTH PATTERN?

5 A. YES.

6 Q. WHAT DOES IT TAKE TO JOIN? IS THERE A FEE
7 INVOLVED?

8 A. NO.

9 Q. WHAT IS REQUIRED TO BECOME A MEMBER?

10 A. SO FAR, SIMPLY AN UNDERTAKING.

11 Q. WHAT IS AN UNDERTAKING?

12 A. AN UNDERTAKING THAT AT A POINT IN TIME, THE
13 RENUNCIANTS WILL RENOUNCE MONEY.

14 Q. THE RENUNCIANTS ARE THE MEMBERS?

15 A. RIGHT.

16 Q. THEY WILL RENOUNCE MONEY IN WHAT RESPECT?

17 A. ALL RESPECTS.

18 Q. SO THAT THEY WILL NOT SEEK MONEY OR HAVE MONEY IN
19 THEIR POSSESSION, OR WHAT?

20 A. COULD BE. THE DETAILS AS YET OF WHAT HAPPENS AT
21 THAT DATE HAVE NOT BEEN TOTALLY WORKED OUT, BUT IT'S VERY
22 CLOSE.

23 Q. SO WHAT IS YOUR PHILOSOPHY ABOUT MONEY, ACCEPTING
24 MONEY?

25 A. THAT IT HAS NO VALUE.

26 Q. WHAT ELSE?

1 A. YOU'RE ASKING FOR PHILOSOPHY WITH REGARDS TO
2 MONEY?

3 Q. UH-HUH.

4 A. THAT'S A FACT WHICH I KNOW TO BE TRUE ABOUT
5 MONEY.

6 Q. IS IT YOUR PHILOSOPHY THAT PEOPLE SHOULD NOT HAVE
7 MONEY AND NOT EARN IT, NOT OWN IT?

8 A. NO, AND THAT'S SEPARATE FROM MY PHILOSOPHY. SO I
9 WANT YOU TO BE CLEAR WHEN YOU'RE ASKING MY PHILOSOPHY ABOUT
10 MONEY, OKAY?

11 Q. WHAT'S SEPARATE?

12 A. FROM MY PHILOSOPHY?

13 Q. WHAT IS SEPARATE FROM YOUR PHILOSOPHY?

14 A. WELL, YOU'RE ASKING FOR MY PHILOSOPHY ABOUT
15 MONEY, AND THEN SAYING: "IS THAT YOUR PHILOSOPHY?"

16 MY PHILOSOPHY IS DIFFERENT FROM THE QUESTION THAT
17 YOU'VE ASKED ABOUT MONEY. MY PHILOSOPHY HAS VALUE. MONEY
18 DOESN'T.

19 Q. YEAH, YOU SAID YOUR PHILOSOPHY ABOUT MONEY WAS
20 THAT MONEY HAS NO VALUE; CORRECT? THAT'S WHAT YOU JUST
21 TESTIFIED.

22 A. THAT'S A FACT WHICH I KNOW TO BE TRUE, OKAY.

23 Q. AND IS THAT -- DO YOU CONSIDER THE ORGANIZATION
24 OF UNITED RENUNCIANTS TO BE A CHURCH?

25 A. NO.

26 Q. DO YOU CONSIDER THE GERALD ARMSTRONG

1 ORGANIZATION, THE CORPORATION, TO BE A CHURCH?

2 A. NO.

3 Q. HOW ABOUT THE RUNNERS AGAINST TRASH; IS THAT A
4 CHURCH?

5 A. NO.

6 Q. DO YOU HAVE ANY CHURCH THAT YOU ARE A FOUNDER OF?

7 A. YES.

8 Q. AND WHAT IS THE NAME OF THAT CHURCH?

9 A. IT DOES NOT HAVE A NAME.

10 Q. HOW MANY MEMBERS DO YOU HAVE?

11 A. I WILL NOT GET INTO A DISCUSSION OF MEMBERSHIP OF
12 MY CHURCH.

13 Q. DO YOU HAVE MORE THAN TEN MEMBERS?

14 A. AGAIN, I DO NOT THINK THAT IT'S APPROPRIATE AT
15 THIS TIME TO DELVE INTO QUESTIONS OF MY CHURCH.

16 Q. ARE ANY OF THE LAWYERS INVOLVED IN THIS ACTION
17 MEMBERS OF YOUR CHURCH?

18 A. NOT TO MY KNOWLEDGE.

19 Q. ARE ANY OF THE PLAINTIFFS IN THIS ACTION INVOLVED
20 IN YOUR CHURCH?

21 A. NOT TO MY KNOWLEDGE.

22 Q. IS FORD GREENE A MEMBER OF YOUR CHURCH?

23 A. YES, HE IS.

24 Q. HAVE YOU CREATED ANY KIND OF ORGANIZATION FOR
25 THIS CHURCH?

26 A. I DON'T KNOW WHAT YOU MEAN BY CREATED ANY KIND OF

1 ORGANIZATION.

2 Q. IS THERE ANY KIND OF ENTITY RECOGNIZED BY ANY
3 GOVERNMENTAL BODY THAT IS YOUR CHURCH; IN OTHER WORDS, HAVE
4 YOU FORMED A CORPORATION OR AN ORGANIZATION, ASSOCIATION?

5 MR. ELSTEAD: JUST A SECOND. YOU KNOW, I
6 CONSIDER THIS AN ABUSE OF THE DISCOVERY PROCESS, TO GO INTO
7 ALL THESE KINDS OF QUESTIONS ABOUT SOMETHING THAT HAS
8 ABSOLUTELY NOTHING TO DO WITH THIS CASE. I'M GOING TO
9 ADVISE YOU, YOU BETTER START ASKING HIM ABOUT SOMETHING --

10 MS. REMMERS: IF HE'S NOT GOING TO TESTIFY ABOUT
11 RELIGION IN THIS CASE, I DON'T CARE AT ALL ABOUT HIS VIEWS.

12 MR. ELSTEAD: YOU'RE NOT ASKING HIM ANYTHING
13 ABOUT THAT.

14 MS. REMMERS: I'M TRYING TO GET A BACKGROUND ON
15 HIS QUALIFICATIONS TO TESTIFY HERE. IF HE'S NOT PLANNING TO
16 TESTIFY AS AN EXPERT ON RELIGION, THEN I CERTAINLY WILL
17 WAIVE ANY QUESTIONS ABOUT --

18 MR. ELSTEAD: HE'S HERE TO TESTIFY ABOUT
19 SCIENTOLOGY.

20 MS. REMMERS: HE SAID IT'S NOT A RELIGION, BUT I
21 THINK THAT IT'S VERY RELEVANT HERE, WHAT HIS VIEWS ON
22 RELIGION ARE IN GENERAL AND WHAT HIS BIAS IS?

23 THE WITNESS: SO I'M WILLING TO GIVE YOU MY VIEWS
24 ON RELIGION IN GENERAL, BUT I THINK THAT IS DIFFERENT FROM
25 ASKING ME ABOUT MEMBERS OF MY CHURCH.

26 BY MS. REMMERS: Q. MY QUESTION HAD BEEN, HAVE

1 YOU FORMED SOME KIND OF ORGANIZATION THAT IS THIS CHURCH?
2 YOU'VE LISTED THESE VARIOUS ORGANIZATIONS THAT YOU'RE THE
3 FOUNDER OF, AND I'M ASKING YOU WHETHER YOU HAVE AN
4 ORGANIZATION THAT IS THIS CHURCH. YOU FOUNDED A CHURCH.

5 DOES IT HAVE A CORPORATE STRUCTURE OR ANY OTHER
6 KIND OF ENTITY STRUCTURE?

7 A. YES, IT IS BOUND TOGETHER BY A COMMON BELIEF.

8 Q. WHAT IS THAT COMMON BELIEF?

9 A. IT IS THE BELIEF THAT WHEN MEMBERS OF THE CHURCH
10 ARE TOGETHER, GOD IS PRESENT.

11 Q. IS THERE ANY KIND OF GOVERNMENTAL AGENCY THAT HAS
12 RECOGNIZED THIS CHURCH AS A CHURCH?

13 A. I DON'T KNOW.

14 Q. HAVE YOU EVER APPLIED FOR STATUS AS A CHURCH WITH
15 ANY GOVERNMENTAL AGENCY?

16 A. NO.

17 Q. HAVE YOU EVER APPLIED FOR STATUS AS ANY KIND OF
18 ORGANIZATION WITH ANY GOVERNMENT ENTITY?

19 A. NO.

20 Q. ARE YOU A PRIEST OR A MINISTER OF SOME SORT IN
21 THIS CHURCH?

22 A. I PERFORM THOSE FUNCTIONS. I DO NOT HAVE A
23 TITLE.

24 Q. BUT YOU CONSIDER YOURSELF WITHOUT TITLE TO BE A
25 MINISTER OR PRIEST OF THIS RELIGION OR THIS CHURCH?

26 A. I DON'T USE THOSE NAMES, BUT I PERFORM THAT

1 FUNCTION.

2 Q. WHAT IS THAT FUNCTION?

3 A. MY FUNCTION IS FORGIVENESS.

4 Q. NOW, BY YOUR DEFINITION OF RELIGION, IS SAY THE
5 CATHOLIC CHURCH A CHURCH OR RELIGION IN YOUR VIEW?

6 A. IT EITHER IS OR HAS THE POTENTIAL FOR BEING.

7 Q. BUT YOU DON'T HAVE AN OPINION ONE WAY OR ANOTHER
8 ABOUT WHETHER IT IS OR ISN'T A RELIGION?

9 A. YOU'RE ASKING A VERY DIFFICULT QUESTION BECAUSE
10 WHAT HAS HAPPENED OFTEN IS THAT NON-RELIGION SOMETIMES
11 ASSUMES AN INDIVISIBILITY FROM RELIGION.

12 (WILLIAM DARDEN ENTERED THE ROOM)

13 BY MS. REMMERS: Q. WHAT DO YOU MEAN BY THAT?

14 A. SO THAT IF A MINISTER OF A RELIGION, EVEN THOUGH
15 HE BE TITLED MINISTER, WAS INVOLVED IN UNFORGIVENESS, THAT
16 WOULD BE A NON-RELIGIOUS ACT.

17 BUT DOES HE HAVE -- IS HIS RELIGION -- IF IT IS
18 BASED ON FORGIVENESS, THEN, AT LEAST ON PAPER, IT CAN BE A
19 RELIGION.

20 SCIENTOLOGY CAN'T BY ITS OWN PAPER BE A RELIGION.
21 THEY WOULD HAVE TO FIRST REPUDIATE THOSE UNFORGIVING ACTS,
22 THEIR DOCTRINE OF FAIR GAME, FOR EXAMPLE, THEIR DOCTRINE OF
23 ATTACK, IN ORDER TO, FIRST OF ALL, ON PAPER, BE A RELIGION.

24 Q. ARE YOU --

25 A. THEN AFTER THAT IS SATISFIED, THEN THERE ARE THE
26 RELIGIOUS ACTS WHICH FLOW FROM THAT.

1 Q. WOULD YOU SAY THAT IN A RELIGION, LET'S SAY THE
2 CATHOLIC CHURCH, IF THERE WAS A GIVEN MINISTER, PRIEST, WHO
3 WAS ENGAGED, AS YOU PUT IT, IN A NON-RELIGIOUS ACT, WOULD
4 THAT INVALIDATE THE CHURCH AS A RELIGION?

5 A. IT WOULD NOT INVALIDATE WHAT IS WRITTEN, BUT WHAT
6 IS WRITTEN CAN INVALIDATE WHAT IS DONE.

7 Q. ARE YOU AWARE OF ANY CHURCHES OTHER THAN THE
8 CHURCH OF SCIENTOLOGY THAT YOU BELIEVE ARE NOT ACTUALLY
9 CHURCHES OR RELIGIOUS BY YOUR DEFINITION?

10 A. SCIENTOLOGY IS THE ONLY ORGANIZATION THAT I AM SO
11 INTIMATELY CONNECTED WITH AND KNOWLEDGEABLE OF. I AM ALSO
12 FAMILIAR WITH THAT BROAD GROUP OF PEOPLE CALLED CHRISTIANS,
13 AND UNDERSTAND THE CHRISTIAN FAITH BROADLY, WHICH IS BASED
14 ON FORGIVENESS. SO ON THE FACE OF CHRISTIAN DOCTRINE, IT'S
15 A RELIGION.

16 Q. DO YOU BELIEVE SCIENTOLOGISTS CAN ALSO BE MORMON
17 OR CATHOLIC OR PROTESTANT OR HINDU OR BUDDHIST?

18 A. I'M NOT SURE WHAT YOU MEAN BY: DO I BELIEVE THAT
19 THEY CAN? WHAT IS THE RULE OF SCIENTOLOGY AND THE PRACTICE
20 OF SCIENTOLOGY IS THAT ONE CANNOT. ONE CANNOT HAVE ANOTHER
21 PRACTICE AND STILL BE AN ACCEPTABLE MEMBER OF SCIENTOLOGY.

22 Q. WHERE DOES IT SAY THAT?

23 A. WITHIN THE SCIENTOLOGY LITERATURE.

24 Q. DO YOU RECALL WHERE?

25 A. I COULD FIND IT. IT'S CALLED MIXING PRACTICES,
26 AND YOU'RE SIMPLY NOT ALLOWED TO.

1 NOW, FOR PUBLIC RELATIONS REASONS, SCIENTOLOGY
2 HAS FORWARDED THE IDEA THAT IT IS EITHER NONDENOMINATIONAL
3 OR PAN-DENOMINATIONAL, AND THAT ONE CAN BE SOMETHING ELSE IN
4 ADDITION TO BEING A SCIENTOLOGIST. BUT IN PRACTICALITY AND
5 TRUTH, THAT IS SIMPLY NOT TRUE.

6 Q. WHAT IS THE RUNNERS AGAINST TRASH?

7 A. IT'S AN IDEA THAT CAME TO ME FOR THE CLEAN-UP OF
8 LITTER.

9 Q. IS IT ANY KIND OF ENTITY THAT'S BEEN CREATED
10 HERE?

11 A. BY -- IT IS AN ENTITY. IT HAS ITS OWN BODY OF
12 LITERATURE. I HAVE PRODUCTS WHICH HAVE BEEN CREATED
13 REGARDING THE RUNNERS AGAINST TRASH.

14 Q. OKAY, HAS ANY GOVERNMENTAL AGENCY -- HAVE YOU
15 APPLIED TO ANY GOVERNMENTAL AGENCY FOR PERMITS OR ENTITY
16 STATUS OF ANY KIND?

17 A. NO.

18 Q. SO AS FAR AS ANY GOVERNMENTAL AGENCY IN THE
19 UNITED STATES OR ELSEWHERE KNOWS, THIS ORGANIZATION DOESN'T
20 EXIST?

21 A. NO.

22 Q. NO, THAT'S WRONG?

23 A. RIGHT.

24 Q. IT DOES EXIST IN WHAT FORM?

25 A. I HAVE COMMUNICATED ABOUT IT TO GOVERNMENTAL
26 PEOPLE.

1 Q. WHAT KIND OF GOVERNMENTAL PEOPLE?

2 A. MAYOR OF SAN FRANCISCO. MAYOR OF SAN ANSELMO.
3 MAYOR OF OAKLAND.

4 Q. ABOUT THE IDEAS OR ABOUT THE FACT THAT THERE IS
5 AN ORGANIZATION CALLED RUNNERS AGAINST TRASH?

6 A. BOTH.

7 Q. HOW MANY PEOPLE ARE MEMBERS OF RUNNERS AGAINST
8 TRASH?

9 A. I'M NOT SURE.

10 Q. IS IT MORE THAN TEN?

11 A. IT COULD EASILY BE, YES.

12 Q. ARE THERE DUES THAT SOMEONE PAYS TO BE A MEMBER
13 OF THIS ORGANIZATION, RUNNERS AGAINST TRASH?

14 A. NOT FINANCIAL DUES.

15 Q. WHAT KIND OF DUES?

16 A. YOU PICK UP TRASH.

17 Q. HOW OFTEN DO YOU PICK UP TRASH AND WHERE?

18 A. YOU PICK IT UP FROM ALONGSIDE STREETS AND YOU
19 PICK IT UP AS OFTEN AS YOU CAN.

20 Q. IS THERE ANY ORGANIZED EFFORT, SAY, TO GO OUT ON
21 A GIVEN DAY TO PICK UP TRASH?

22 A. SOMETIMES.

23 Q. HOW MANY ORGANIZED EFFORTS HAVE THERE BEEN?

24 A. MAYBE A HUNDRED.

25 Q. AND HOW MANY PEOPLE WERE INVOLVED IN THOSE
26 EFFORTS?

1 A. TWO OR THREE.

2 Q. YOU AND WHO ELSE?

3 A. I THINK THAT THAT TAKES IT TOO FAR WHEN YOU GET
4 INTO WHO THE MEMBERS OF THE RUNNERS AGAINST TRASH ARE IN
5 CONNECTION WITH THIS LITIGATION.

6 Q. WELL, WHO YOU'RE INVOLVED WITH AND WHAT YOUR BIAS
7 IS IS VERY RELEVANT.

8 A. I DON'T THINK WHETHER OR NOT I PICK UP TRASH
9 INDICATES A BIAS THAT I HAVE IN YOUR LITIGATION AT ALL.

10 Q. LET ME ASK YOU WHETHER ANY OF THE LAWYERS
11 INVOLVED IN THIS LITIGATION WITH THE CHURCH OF SCIENTOLOGY
12 ARE MEMBERS OF THIS ORGANIZATION OF YOURS?

13 A. NOT THAT I KNOW OF.

14 Q. ARE YOU AN OFFICER OF THIS ORGANIZATION?

15 A. I'M THE FOUNDER.

16 Q. IS THAT YOUR ONLY TITLE?

17 A. NO, I HAVE ANOTHER ONE AS WELL.

18 Q. WHAT'S THAT?

19 A. I'M CALLED MAJOR BAGGS.

20 Q. WHAT?

21 A. MAJOR BAGGS.

22 Q. B-A-G-S? B-A-G-S; IS THAT CORRECT? CAN WE HAVE
23 AN ANSWER TO THE QUESTION, PLEASE?

24 A. TWO G'S.

25 Q. ARE THERE ANY OTHER OFFICERS?

26 A. THERE'S A LIEUTENANT BAGGETTE.

1 Q. AND WHO'S THAT?

2 MR. ELSTEAD: GLAD SOMEBODY ELSE HAS A SENSE OF
3 HUMOR HERE.

4 BY MS. REMMERS: Q. JUST THIS ONE OTHER PERSON?
5 THIS LIEUTENANT BAGGETTE IS A WOMAN, I TAKE IT?

6 A. RIGHT. WELL, THERE'S A CAPTAIN KIRK, TOO.

7 Q. AND NO MONIES ARE PAID BY ANYONE TO BE A PART OF
8 THIS?

9 A. RIGHT.

10 Q. IS THERE ANY FUNDING FROM ANY SOURCE?

11 A. THERE ARE THINGS IN THE WORKS, BUT I WILL NOT GO
12 INTO WHAT PRESENT PLANS ARE WITH REGARDS TO THAT PROJECT.

13 Q. AND THE ORGANIZATION OF UNITED RENUNCIANTS HAS NO
14 FUNDING OF ANY KIND?

15 A. RIGHT.

16 Q. NOW, GOING BACK TO YOUR MEETING WITH JIM RUMMONDS
17 ON THE 21ST OF FEBRUARY, WHAT DID HE TELL YOU IN THE END --
18 OR WHAT DID YOU TELL HIM, LET ME PUT IT THAT WAY, YOU WOULD
19 TESTIFY ABOUT IN THIS LITIGATION?

20 A. THAT THE COURSES WHICH WERE BEING PRESENTED BY
21 APPLIED SCHOLASTICS WERE SCIENTOLOGY, THAT SCIENTOLOGY
22 CLAIMED THAT ITS ADMINISTRATIVE TECHNOLOGY FOR THE PURPOSES
23 OF OBTAINING THE BENEFITS OF RELIGIOSITY HAVE BEEN
24 DESIGNATED AND SWORN TO AS SCRIPTURE, THAT I HAVE EXPERTISE
25 IN THE SUBJECT OF FRAUDULENT REPRESENTATIONS OF L. RON
26 HUBBARD AND SCIENTOLOGY, THAT I'M KNOWLEDGEABLE IN ITS

1 COERCIVE PRACTICES, AND THAT I'M AN EXPERT IN FAIR GAME.

2 Q. OKAY, WHAT ARE THE RELIGIOUS PRACTICES OF THE
3 CHURCH OF SCIENTOLOGY? I TAKE IT THERE ARE RELIGIOUS
4 PRACTICES IN THE CHURCH OF SCIENTOLOGY AND THEN THERE ARE
5 NON-RELIGIOUS PRACTICES; CORRECT?

6 A. THERE ARE PRACTICES IN SCIENTOLOGY, AND I GUESS
7 YOU ARE SIMPLY ASKING FOR ME TO STATE: WHAT ARE THE
8 PRACTICES OF SCIENTOLOGY?

9 Q. WELL, CORRECT ME IF I'M WRONG --

10 A. THERE'S ONLY ONE RELIGIOUS PRACTICE AND THAT'S
11 FORGIVENESS. SCIENTOLOGY IS UNFORGIVING. IT CONDEMNS.

12 Q. OKAY, IN THE CHURCH OF SCIENTOLOGY, THE CHURCH,
13 DOES IT NOT, SAYS THAT CERTAIN OF ITS PRACTICES ARE
14 RELIGIOUS AND CERTAIN OF ITS PRACTICES ARE NOT RELIGIOUS;
15 CORRECT?

16 A. NO.

17 Q. IT SAYS EVERYTHING IN IT IS RELIGIOUS?

18 A. RIGHT, SCIENTOLOGY CLAIMS THAT ALL THE WRITTEN
19 WORDS, OTHER THAN HUBBARD'S SCIENCE FICTION OR FICTION
20 WORKS, ARE RELIGIOUS SCRIPTURE.

21 Q. WHERE IS THAT SAID?

22 A. I MAY BE ABLE TO FIND SOME THINGS, BUT LET ME --
23 DO YOU HAVE THAT ORANGE PETITION FOR REHEARING? THIS WAS
24 JUST ONE THAT I RECALLED AT THE TIME, SO I BROUGHT IT ALONG.

25 ALL RIGHT, "THE RELIGION OF SCIENTOLOGY WITH ITS
26 TECHNOLOGY OF SPIRITUAL COUNSELING, ETHICS AND

1 ADMINISTRATION" --

2 Q. WHAT ARE YOU READING FROM, MR. ARMSTRONG? CAN
3 YOU PLEASE IDENTIFY WHAT YOU ARE READING FROM?

4 A. THIS IS THE DECLARATION OF MARK C. RATHBUN, DATED
5 13TH OF AUGUST 1991.

6 Q. AND WHERE DOES HE SAY THAT ALL WRITTEN WORDS OF
7 L. RON HUBBARD ARE RELIGIOUS SCRIPTURE EXCEPT FOR HIS
8 SCIENCE FICTION WORK?

9 A. IT DOESN'T STATE IN HERE ABOUT THE SCIENCE
10 FICTION WRITING BUT --

11 Q. WHERE DOES IT SAY THAT TO YOUR KNOWLEDGE? WHERE?
12 HAVE YOU COME TO FORM THAT OPINION FROM SOMETHING YOU'VE
13 SEEN IN WRITING?

14 A. YES, AND FROM -- YEAH.

15 Q. FROM THE DECLARATION THAT YOU'RE READING NOW,
16 WHICH YOU'VE PRODUCED TO US?

17 A. OH, NO, FROM MANY SWORN DECLARATIONS, SWORN
18 STATEMENTS WHICH HAVE BEEN MADE BY SCIENTOLOGY.

19 Q. PLEASE IDENTIFY THOSE.

20 A. I -- THEY HAVE BEEN MADE IN THE AZNERAN CASE.

21 Q. BY WHOM?

22 A. BY SCIENTOLOGY'S LAWYERS. THERE ARE DOCUMENTS
23 SUCH AS THIS. THERE HAVE BEEN DOCUMENTS FILED IN THE
24 ARMSTRONG CASE.

25 Q. BY -- WHAT DOCUMENTS ARE FILED IN THE ARMSTRONG
26 CASE THAT STATE THAT ALL WRITTEN WORDS OF L. RON HUBBARD ARE

1 RELIGIOUS SCRIPTURE EXCEPT FOR HIS SCIENCE FICTION WRITING?
2 THAT'S WHAT YOU TESTIFIED TO.

3 A. I TESTIFIED TO WHAT? THAT THEY WERE FILED THERE?

4 Q. THAT'S WHAT WE'RE FINDING OUT, WHAT YOUR BASIS
5 FOR THAT CONCLUSION IS.

6 A. ALL THE WRITINGS WITH REGARDS TO THE MATERIALS
7 WHICH WERE SEQUESTERED IN THE ARMSTRONG CASE, WHICH WERE
8 FROM L. RON HUBBARD'S PERSONAL ARCHIVES. THERE ARE
9 DECLARATIONS WHICH RELATE TO THOSE, WHICH HAVE BEEN FILED BY
10 SCIENTOLOGY IN THE ARMSTRONG CASE, WHICH MAKE THE CLAIM THAT
11 THOSE DOCUMENTS, SOME OF WHICH ARE FINANCIAL DOCUMENTS, SOME
12 OF WHICH ARE HUBBARD'S OWN DIARIES, ARE RELIGIOUS
13 SCRIPTURES.

14 Q. I'M ASKING YOU --

15 A. NOW HERE, IN THIS ONE HERE, HERE ARE THE
16 TECHNICAL WRITINGS, ETHICS AND ADMINISTRATION. NOW, THAT
17 COVERS EVERYTHING THAT'S IN THAT BOOK, EVERYTHING THAT'S IN
18 THOSE TWO BOOKS, ALL OF WHAT ARE CALLED THE GREEN VOLUMES,
19 THE ORGANIZATIONAL EXECUTIVE COURSE, ALL THE POLICY LETTERS,
20 THE TECHNICAL BULLETINS WRITTEN BY L. RON HUBBARD WHICH IS
21 THE BODY OF LITERATURE, WRITTEN LITERATURE IN SCIENTOLOGY.

22 Q. OTHER THAN --

23 A. THOSE ARE CALLED SCRIPTURES.

24 Q. OKAY. NOW, WHEN YOU WERE A MEMBER OF THE CHURCH
25 OF SCIENTOLOGY FOR THOSE MANY YEARS THEN, I TAKE IT YOU WERE
26 INVOLVED IN READING SCRIPTURE ON A DAILY BASIS?

1 A. THE TERM "SCRIPTURE" BEGAN TO BE USED TOWARD THE
2 END OF MY SCIENTOLOGY CAREER. UP UNTIL THEN THERE WERE
3 POLICIES, BULLETINS. SCIENTOLOGY WAS NOT OPERATED LIKE A
4 CHURCH.

5 AND THOSE OF US INSIDE, EXCEPT FOR WHEN IT WAS
6 NECESSARY TO CREATE A CERTAIN IMAGE FOR THOSE OUTSIDE, DID
7 NOT CALL IT A CHURCH. IT WAS AN ORGANIZATION.

8 Q. SO ARE YOU SAYING THAT DURING YOUR TENURE IN THE
9 CHURCH OF SCIENTOLOGY, THE THINGS THAT YOU STUDIED AND THE
10 WORDS THAT YOU READ WERE NOT RELIGIOUS?

11 MR. ELSTEAD: THAT MISSTATES HIS TESTIMONY.

12 MS. REMMERS: I'M ASKING THE QUESTION.

13 MR. ELSTEAD: NO, YOU'RE NOT. YOU JUST TRIED TO
14 PARAPHRASE SOMETHING HE SAID, AND YOU PARAPHRASED IT WRONG.
15 HE DIDN'T SAY -- LET ME FINISH.

16 MS. REMMERS: COULD YOU READ THE QUESTION BACK,
17 PLEASE?

18 MR. ELSTEAD: I'M GOING TO FINISH WHAT I HAVE TO
19 SAY.

20 MS. REMMERS: THEN I'LL HAVE THE QUESTION --

21 MR. ELSTEAD: HE SAID TOWARDS THE END OF HIS
22 TENURE.

23 MS. REMMERS: READ MY QUESTION, PLEASE.

24 (RECORD READ)

25 BY MS. REMMERS: Q. THAT'S MY QUESTION. IS THAT
26 WHAT YOU'RE SAYING?

1 MR. ELSTEAD: SAME OBJECTION.

2 THE WITNESS: MY PRIOR TESTIMONY, WE USED THE
3 WORD "SCRIPTURE," AND THAT TOWARD THE END OF MY STAY, IN
4 ORDER TO DEFEND ITS PRACTICES, THE ORGANIZATION ADOPTED THE
5 USE OF THE TERM "SCRIPTURES." NOW, THE ORGANIZATION ALSO
6 CREATED A NUMBER OF INDICIA TO GIVE IT A VEIL OF
7 RELIGIOSITY.

8 BY MS. REMMERS: Q. WHAT WERE THOSE?

9 A. CERTAIN TIMES, CERTAIN PEOPLE WORE DOG COLLARS.
10 THEY ISSUED CARDS INDICATING THAT PEOPLE WERE MINISTERS OF
11 THE CHURCH OF SCIENTOLOGY. I MYSELF WAS ISSUED SUCH A CARD.

12 Q. SO YOU WERE A MINISTER OF THE CHURCH OF
13 SCIENTOLOGY?

14 A. ACCORDING TO THEIR ORDINATION PROCEDURE, I WAS.
15 AND THE ORDINATION TOOK A FORM OF THE ISSUANCE OF A CARD.

16 Q. DID YOU BELIEVE AT THE TIME YOU ACCEPTED THAT
17 CARD THAT YOU WERE NOT A MINISTER OF THE CHURCH OF
18 SCIENTOLOGY?

19 A. WHAT I DID AT THAT TIME WAS FOLLOW ORDERS. AND I
20 FOLLOWED THEM PRETTY RELIGIOUSLY.

21 Q. SO TO SPEAK.

22 A. BUT THERE WASN'T ANYTHING RELIGIOUS GOING ON.

23 Q. SO TO GET BACK TO MY QUESTION, IS IT FAIR TO SAY
24 THEN WHEN YOU WERE AT THE CHURCH, THE MATERIALS, THE
25 BULLETINS YOU READ, THE POLICIES YOU READ, THE TRAINING
26 MATERIALS YOU READ WERE NOT RELIGIOUS IN NATURE AT THAT

1 TIME; IS THAT CORRECT?

2 A. THEY WERE NOT THEN, AND THEY ARE NOT NOW.

3 Q. WHAT YOU'RE SAYING IS THAT SOMETIME, ABOUT THE
4 TIME THAT YOU WERE LEAVING, IS THAT CORRECT, THEY BEGAN TO
5 CALL THESE THINGS RELIGIOUS?

6 A. THEY BEGAN TO CALL THEM SCRIPTURES.

7 Q. OKAY.

8 A. THEY HAD ALWAYS, FROM 1954 FORWARD, USED THE NAME
9 CHURCH OF SCIENTOLOGY. BUT TO THOSE OF US WHO HAD GONE
10 SUFFICIENTLY THROUGH SCIENTOLOGY TO UNDERSTAND KNEW THAT
11 RELIGION, IN FACT, WAS DESPISED. RELIGION IS CONSIDERED A
12 JOKE IN SCIENTOLOGY WHEN YOU GET TO A CERTAIN LEVEL IN THE
13 ORGANIZATION.

14 Q. AT THE TIME YOU WERE INVOLVED IN THE CHURCH, WAS
15 THERE ANY ATTEMPT MADE BY THE CHURCH TO DISTINGUISH AT THAT
16 TIME BETWEEN WRITINGS THAT WERE VIEWED AS RELIGIOUS IN
17 NATURE AND THOSE THAT WERE NOT?

18 A. THERE WAS A DISTINCTION MADE IN THIS REGARD:
19 SCIENTOLOGY INTELLIGENCE BUREAU HAS ACCESS TO THE PRE-CLEAR
20 FOLDERS OF PEOPLE UNDERGOING AUDITING IN SCIENTOLOGY, AND IT
21 USES THE STATEMENTS WHICH PEOPLE MAKE IN THE SUPPOSEDLY
22 CONFIDENTIAL SETTING OF AUDITING FOR THE PURPOSES OF
23 INTIMIDATION AND BLACKMAIL.

24 Q. WERE YOU AUDITED?

25 A. NOW, HOLD ON, LET ME FINISH THAT STATEMENT SO I
26 ANSWER YOUR QUESTION.

1 Q. SURE.

2 A. SCIENTOLOGY LAWYERS, IN ORDER TO JUSTIFY THE USE
3 OF THAT MATERIAL, WITHOUT -- AND STILL GIVING THE
4 APPARENTNESS OF SOME KIND OF VALIDITY TO THE SUPPOSED
5 CONFIDENTIALITY OF THE AUDITING SETTING, BEGAN TO MAKE THE
6 DISTINCTION THAT, ALTHOUGH PRE-CLEAR FOLDERS WERE PROTECTED
7 BY THE PRIEST/PENITENT PRIVILEGE, AUDITING OR ETHICS
8 FOLDERS, WHICH CONTAINED INFORMATION FROM THE AUDITING FILE,
9 WERE NOT SO PROTECTED.

10 AND THEY USED THAT INFORMATION, THEY THOUGHT,
11 FREELY, IN LITIGATION AGAINST PEOPLE WHO FILED CLAIMS
12 AGAINST THE ORGANIZATION FOR DAMAGES. SO THEY MADE --
13 SCIENTOLOGY MAKES A LOT OF WHAT THEY THINK ARE VERY SUBTLE,
14 VERY CLEVER DISTINCTIONS SO THAT THEY CAN CONTINUE TO GET AS
15 MUCH MILEAGE AS THEY CAN FROM THE VEIL OF RELIGIOSITY WHILE
16 USING RELIGION AS A WEAPON TO ATTACK PEOPLE.

17 Q. WERE YOU YOURSELF AUDITED?

18 A. YES.

19 Q. AND DID YOU CONSIDER THE INFORMATION YOU GAVE
20 OVER TO YOUR AUDITOR DURING THAT PROCESS AS CONFIDENTIAL,
21 LIKE A PRIEST/PENITENT?

22 A. THEIR -- WHEN I FIRST GOT INTO SCIENTOLOGY, AND I
23 BEGAN TO UNDERSTAND THE AUDITING PROCESS, I UNDERSTOOD AT
24 FIRST THAT WHATEVER I SAID BETWEEN ME AND THE AUDITOR WAS
25 CONFIDENTIAL, AND THAT IT WOULD NOT BE USED AGAINST ME, AND
26 THE ONLY REASON THEY WANTED THIS INFORMATION AND THE ONLY

1 REASON AUDITING WAS GOING ON WAS TO ASSIST ME.

2 AS I PROGRESSED INTO THE SEA ORGANIZATION, AND
3 THROUGH A LOT OF YEARS OF AUDITING, INTO THE RPF, THROUGH MY
4 TIME IN THE INTELLIGENCE BUREAU, IN THE GUARDIAN'S OFFICE,
5 THROUGH BEING LOCKED UP IN THE GUARDIAN'S OFFICE, THROUGH
6 THE CULLING OF MY PRE-CLEAR FOLDER INSIDE THE ORGANIZATION,
7 THROUGH THE USE OF MY PRE-CLEAR FOLDER INFORMATION AGAINST
8 ME IN LITIGATION IN THE ARMSTRONG CASE, IT BECAME VERY CLEAR
9 TO ME, AND I LEARNED SOMEWHERE ALONG THE LINE THAT MY
10 STATEMENTS AND THE STATEMENTS OF OTHER PEOPLE UNDERGOING
11 AUDITING ARE NOT TREATED CONFIDENTIALLY AT ALL.

12 Q. BUT AT THE TIME, MY QUESTION WAS, AT THE TIME YOU
13 WERE GOING THROUGH THE AUDITING PROCESS, YOU VIEWED THIS AS
14 CONFIDENTIAL, IN THE NATURE OF A RELIGIOUS PROCEEDING AS A
15 PRIEST/PENITENT?

16 MR. ELSTEAD: OBJECTION. COMPOUND.

17 THE WITNESS: LET'S GO BACK. YOU SAY AT THE
18 TIME. WHEN I GOT INVOLVED, I WAS TOLD IT WAS CONFIDENTIAL.

19 BY MS. REMMERS: Q. AND MY QUESTION IS, DID YOU
20 VIEW IT AS A RELIGIOUS EXERCISE IN WHICH YOU WERE INVOLVED
21 WITH A PRIEST/PENITENT SITUATION?

22 A. NO. NO, ALTHOUGH IT'S PROTECTED BY THAT, IT, IN
23 FACT, IS MORE AKIN TO PSYCHOTHERAPY. IT'S NOT A RELIGIOUS
24 EXPERIENCE. IT'S PSYCHOTHERAPEUTIC EXPERIENCE. SO IT
25 SHOULD BE PROTECTABLE BY THE PSYCHOTHERAPIST/PATIENT
26 RELATIONSHIP. IT SHOULD BE HONORED FOR THAT, BUT IT'S NOT

1 HONORED FOR THAT. IT'S USED AND ABUSED. SO I LEARNED OF
2 THAT WHILE INSIDE. I MYSELF WAS ORDERED TO PARTICIPATE IN
3 THAT ABUSE.

4 Q. NOW, WHEN YOU TALKED WITH MR. RUMMONDS, YOU TOLD
5 ME THAT HE GAVE YOU ONE DOCUMENT TO LOOK AT. THAT WAS A
6 GLOSSARY?

7 A. RIGHT.

8 Q. DID HE GIVE YOU ANY OTHER DOCUMENTS IN THE CASE?

9 A. I HAVE RECEIVED ALL OF THOSE DOCUMENTS FROM HIS
10 OFFICE.

11 Q. NOT FROM MR. ELSTEAD?

12 A. RIGHT.

13 Q. WHEN DID YOU RECEIVE THE REMAINDER OF THE
14 DOCUMENTS THAT YOU PRODUCED HERE TODAY?

15 A. SOMEDAY -- SOME DAYS AFTER.

16 Q. YOUR MEETING?

17 A. RIGHT.

18 Q. NOW, DID YOU TALK WITH MR. RUMMONDS ABOUT YOUR
19 FEE FOR GIVING CONSULTATION IN THIS LAWSUIT?

20 A. I DID BRING UP THE SUBJECT BUT IT WAS NOT DECIDED
21 AT THAT POINT. I THINK WE WERE GOING TO WAIT AND SEE REALLY
22 WHAT THIS WAS GOING TO DEVELOP INTO.

23 I HAD, OF COURSE, BY THAT TIME RECEIVED YOUR
24 CHECK AND SENT YOUR CHECK BACK TO YOU. AND PERHAPS BY THAT
25 TIME, ALTHOUGH I CAN'T BE CERTAIN, I RECEIVED THE NOTICE
26 OF -- OR THE LIST OF EXPERTS IN WHICH I SAW THAT I HAD BEEN

1 PUT DOWN FOR 250 AN HOUR.

2 Q. DID YOU NOT AGREE THAT YOUR FEE WAS 250 AN HOUR?

3 A. I AGREE THAT THAT'S ADEQUATE.

4 Q. WHO DID YOU TELL THAT YOUR FEE WAS 250 AN HOUR?

5 A. I DIDN'T SPECIFY. I DIDN'T SPECIFY AT THAT TIME.

6 Q. YOU TOLD NO ONE --

7 A. NO, I WASN'T ASKED.

8 Q. SO THAT WHEN YOU WERE IDENTIFIED BY MR. ELSTEAD
9 AND MR. RUMMONDS AS 250 AN HOUR, THAT WAS THEIR
10 DETERMINATION OF WHAT YOUR HOURLY RATE WAS?

11 A. IT MUST HAVE BEEN, YES.

12 Q. HAVE YOU HAD DISCUSSIONS WITH THEM SINCE?

13 (MR. ELSTEAD CONFERRED WITH THE WITNESS)

14 THE WITNESS: OH, OKAY.

15 BY MS. REMMERS: Q. CAN YOU TELL ME WHAT
16 MR. ELSTEAD JUST TOLD YOU, MR. ARMSTRONG?

17 A. YOU KNOW, HE SAYS, "HEY, YOU TOLD ME ON THE
18 TELEPHONE, AND THAT'S WHAT I PUT DOWN."

19 AND I DON'T -- I DON'T KNOW. YOU KNOW, I NOTICED
20 THAT THERE'S A WHOLE LIST OF PEOPLE, ALL OF WHOM GET AROUND
21 250 AN HOUR, AND SO I THINK I WAS JUST INCLUDED IN THAT, IN
22 THAT GROUP.

23 Q. MY QUESTION TO YOU IS WHETHER YOU TOLD
24 MR. ELSTEAD THAT YOUR FEE, WHAT YOU WOULD CHARGE FOR
25 DEPOSITION TESTIMONY, WAS 250 AN HOUR AT ANY TIME?

26 A. I DON'T -- I DON'T RECALL.

1 Q. DID YOU EVER TELL MR. RUMMONDS THAT?

2 A. WHEN I -- WHEN I LEARNED THAT IT WAS 250 AN HOUR,
3 SEE, THE FIRST -- I TOLD HIM THAT IT WAS ADEQUATE.

4 Q. HOW DID YOU COME TO CONCLUDE, AFTER YOU LEARNED
5 THAT YOU HAD BEEN LISTED AS 250 AN HOUR, THAT THAT WAS THE
6 APPROPRIATE RATE FOR YOU TO CHARGE AS AN EXPERT IN THIS
7 CASE?

8 A. I BELIEVE THAT IT IS.

9 Q. ON WHAT BASIS? IS IT YOUR CUSTOMARY --

10 A. WELL, THIS IS THE FIRST -- AGAIN, THIS IS THE
11 FIRST TIME I HAVE BEEN CALLED AS AN EXPERT. NOW I HAVE
12 CONSIDERED THIS BEFORE, AND IT CAME AT THE RIGHT TIME, AND I
13 THINK THAT IT IS ADEQUATE. SO I HAVEN'T QUESTIONED THE
14 AMOUNT SINCE IT WAS TENDERED.

15 Q. WHAT DO YOU BASE YOUR CONCLUSION ON THAT THE FEE
16 IS ADEQUATE?

17 A. AN UNDERSTANDING OF THE SPECIFIC KNOWLEDGE WHICH
18 I HAVE. I AM PERHAPS THE ONLY PERSON IN THE WORLD WHO IS
19 ABLE TO DO WHAT I DO. THERE ARE PROBABLY A HUNDRED THOUSAND
20 SCIENTOLOGISTS, NONE OF WHOM ARE GOING TO COME FORWARD. AND
21 THERE IS ONLY ONE DETRACTOR FOR EVERY HUNDRED THOUSAND
22 SCIENTOLOGISTS, AND I THINK THAT I AM A DETRACTOR IN THE
23 SENSE THAT I OPPOSE FAIR GAME.

24 Q. WHEN YOU SAY YOU'RE THE ONLY PERSON IN THE WORLD
25 WHO IS ABLE TO DO WHAT YOU DO, WHAT DO YOU MEAN BY THAT? DO
26 YOU MEAN TESTIFY ABOUT THE TOPICS YOU'VE BEEN ASKED TO

1 TESTIFY ABOUT IN THIS CASE?

2 A. RIGHT, WHO HAS TWO QUALITIES: ONE, THE KNOWLEDGE
3 WHICH I HAVE; AND, TWO, A WILLINGNESS TO CONFRONT THE
4 ORGANIZATION.

5 Q. CAN YOU RECALL ANYTHING ELSE THAT YOU SPOKE WITH
6 MR. RUMMONDS ABOUT IN YOUR MEETING ON THE 21ST?

7 A. I THINK THAT PRETTY WELL COVERS IT.

8 Q. HAD YOU SEEN ANY OF THE MATERIALS THAT HIS OFFICE
9 SENT YOU BEFORE THEY WERE SENT TO YOU? AND I REALIZE YOU
10 HAVEN'T READ SOME OF THEM, LIKE THE PLEADINGS YOU HAVEN'T
11 READ THROUGH, AND DIDN'T READ IN DETAIL THE OTHER THINGS.
12 BUT HAD YOU SEEN ANY OF THOSE MATERIALS BEFORE, FOR
13 INSTANCE, IN FORD GREENE'S OFFICE OR ANYWHERE ELSE?

14 A. I'D HAVE TO LOOK AT THEM NOW.

15 Q. WHY DON'T WE DO THAT.

16 A. I BELIEVE I HAD SEEN THE SUCCESS THROUGH
17 COMMUNICATION COURSE PACK.

18 Q. THIS EXACT? A DUPLICATE OF THIS DOCUMENT WHICH
19 SAYS "SUCCESS THROUGH COMMUNICATION, EXHIBIT A" ON THE
20 BOTTOM? THERE ARE TWO OF THESE, BY THE WAY, THAT ARE
21 IDENTICAL. I'M NOT SURE WHY THEY'RE BOTH HERE. ONE APPEARS
22 TO HAVE YOUR INITIALS UP IN THE CORNER.

23 IS THAT CORRECT; IS THAT YOUR DATE AND INITIALS?

24 A. RIGHT. OKAY, I HAVE SEEN THIS, THIS COURSE
25 PACKET.

26 Q. THE IDENTICAL COURSE PACK?

1 A. I BELIEVE SO.

2 Q. DO YOU KNOW WHAT COLOR IT IS IN THE ORIGINAL?

3 A. YOU KNOW, MY RECOLLECTION IS ORANGE BUT I'M

4 JUST --

5 Q. WHERE HAVE YOU SEEN IT . . .

6 A. I BELIEVE.

7 Q. . . . BEFORE IT WAS SENT TO YOU BY THE RUMMONDS

8 OFFICE?

9 A. I BELIEVE IN THE MATERIALS THAT TOBY PLEVIN HAS.

10 Q. AND THAT WAS WHEN YOU WERE INVOLVED IN SOME
11 LAWSUIT AGAINST THE CHURCH?

12 A. WHEN I WAS DOWN THERE GOING THROUGH HER STUFF,
13 HELPING HER WITH HER FILING.

14 Q. WITH WHICH CASE?

15 A. CROYDON, C-R-O-Y-D-O-N.

16 Q. WAS THAT THE FIRST TIME YOU HAD SEEN THIS
17 MATERIAL THAT YOU BELIEVE HAD AN ORANGE COVER?

18 A. I'M NOT -- AGAIN, I'M NOT SURE. I --

19 Q. YOU'RE NOT SURE WHETHER IT HAD AN ORANGE COVER?

20 A. I'M NOT SURE WHETHER IT HAD AN ORANGE COVER AND
21 I'M NOT SURE IF THE FIRST TIME WAS WHEN IT WAS IN TOBY'S.

22 Q. YOU MAY HAVE SEEN IT BEFORE THAT. BUT YOU'RE NOT
23 CERTAIN?

24 A. MAYBE.

25 Q. CAN YOU TAKE A SECOND TO REFLECT? THE CROYDON
26 CASE WAS WHEN, MR. ARMSTRONG? DID YOU SAY YOUR INVOLVEMENT

1 WAS 1990?

2 A. YEAH, 1990 AND 1991, I WAS INVOLVED IN THAT CASE.

3 Q. OKAY. DID YOU EVER TAKE ANY COURSE BY APPLIED
4 SCHOLASTICS WHEN YOU WERE AT THE CHURCH, OTHER THAN WHAT YOU
5 TOLD ME YOU HAD READ A BOOKLET?

6 A. NO, UM-UM.

7 Q. DID YOU EVER KNOW PERSONALLY ANYBODY WHO WORKED
8 FOR APPLIED SCHOLASTICS?

9 A. NO, NO NAME COMES TO MIND.

10 Q. YOU'VE BEEN LOOKING THROUGH THE SUCCESS THROUGH
11 COMMUNICATION BOOKLET.

12 DOES THAT REFRESH YOUR RECOLLECTION WHETHER YOU'D
13 EVER SEEN IT BEFORE THE CROYDON LITIGATION?

14 A. UH-HUH.

15 Q. YOU DO RECALL SEEING IT OR YOU DON'T?

16 A. NO, I DID. I SAW IT IN THE ORGANIZATION.

17 Q. AND WHEN WAS THAT?

18 A. AROUND THE TIME I WAS LEAVING.

19 Q. THIS EXACT COPY?

20 A. IT'S EITHER THIS EXACT COPY OR VIRTUALLY THE
21 SAME.

22 Q. AND WHERE DID YOU SEE IT? WAS IT IN THE FILE
23 CABINET? WAS IT ON A DESK? WAS IT --

24 A. YOU KNOW, I KNOW THERE WAS A -- I'M TRYING TO
25 THINK OF HER NAME. SHE WAS PART OF WHAT WAS CALLED THE
26 MISSION ALL CLEAR, AND SHE HAD BEEN HUBBARD'S -- SHE DID

1 SECRETARIAL DUTIES TO HUBBARD, AND SHE WAS INVOLVED IN THE
2 PUBLICATION OF BOOKS.

3 Q. SHE HAD THIS? IS THAT WHAT YOU'RE SAYING?

4 A. I'M -- I'M CERTAIN NOW THAT I SAW IT INSIDE THE
5 ORGANIZATION, AND PUT TOGETHER BY THE COMPILATION -- THERE'S
6 A COMPILATIONS UNIT. BUT I DON'T RECALL THE NAME OF THE
7 WOMAN.

8 Q. WHERE DID YOU SEE IT? DID YOU SEE IT IN THE
9 CABINET, SITTING ON SOMEONE'S DESK? WHERE WAS THIS STUFF?

10 A. NO, IN HER AREA. IF I COULD JUST REMEMBER HER
11 NAME, THEN I COULD PUT THE WHOLE THING TOGETHER.

12 Q. DID YOU READ THROUGH IT WHEN YOU SAW IT IN HER
13 AREA?

14 A. NO, I GLANCED AT IT. I KNEW IT. I RECOGNIZED
15 IT, AND I REMEMBER COMPARING IT AT THE TIME WHEN I DID SEE
16 IT WITH THE WAY THE COMM COURSE -- BECAUSE THIS IS
17 ESSENTIALLY THE COMM COURSE WHICH HAD BEEN OFFERED WHEN I
18 FIRST GOT INVOLVED IN SCIENTOLOGY.

19 Q. HOW DID IT COMPARE? ARE THERE ANY DIFFERENCES AT
20 ALL?

21 A. OH, YEAH, THERE ARE DIFFERENCES. THIS IS A
22 SIMPLICATION. THE OTHER ONE FOLLOWED HUBBARD'S BULLETINS,
23 AND THESE ARE THINGS WHICH HAVE BEEN EXCERPTED FROM
24 HUBBARD'S BULLETINS AND THEN RESET IN THIS MANNER. BUT THE
25 DRILLS THEMSELVES, ALONG WITH THE NAME, PERSON DRILL,
26 PURPOSE AND PHENOMENON, THOSE ARE IDENTICAL. THE NUMBERS

1 ARE THE SAME, TR1, TR0.

2 Q. SO YOU ACTUALLY TOOK THE COMMUNICATIONS COURSE?

3 A. YEAH.

4 Q. FROM WHOM?

5 A. OH, I DID IT SEVERAL TIMES THROUGHOUT
6 SCIENTOLOGY. I DID IT WHEN I FIRST GOT INVOLVED. I WAS
7 SUPERVISED AT THAT TIME BY A GUY BY THE NAME OF JOHN AVERY.
8 AND THEN I SUPERVISED MYSELF WITH THE COMMUNICATIONS COURSE
9 IN 1970.

10 SO I WENT THROUGH A NUMBER OF DIFFERENT CLASSES,
11 CLASSES WHERE I SUPERVISED THIS COURSE. AND THEN THROUGHOUT
12 ALL OF YOUR TIME IN SCIENTOLOGY, YOU CONTINUE TO DO THESE
13 IDENTICAL TRAINING ROUTINES. ALL AUDITORS DO THEM. THEY'RE
14 REQUIRED, IN FACT, TO DO A SET OF THESE THINGS EVERY DAY, OR
15 THEY WERE WHEN I WAS INSIDE.

16 AND SO I DID THESE WHEN I TRAINED TO BE AN
17 AUDITOR. AND SO RIGHT UP UNTIL 1979, I GUESS, WAS THE LAST
18 TIME I DID TRAINING ROUTINES, TR'S.

19 (FIVE-MINUTE RECESS)

20 BY MS. REMMERS: Q. OKAY, WE WERE TALKING ABOUT
21 MATERIALS, AND I THINK YOU TESTIFIED THAT YOU HAD SEEN THEM
22 ON SOMEONE'S -- IN SOMEONE'S AREA. YOU CAN'T RECALL HER
23 NAME.

24 AND YOU JUST GLANCED THROUGH AND RECOGNIZED SOME
25 OF THE MATERIAL WAS SIMILAR TO THE COMM COURSE YOU HAD
26 TAKEN?

1 A. AROUND THE TIME THAT I LEFT THE ORGANIZATION,
2 THIS BOOKLET, BOOK, WAS CREATED WITHIN THE ORGANIZATION.
3 AND I SAW IT AT THAT TIME. THAT WAS THE FIRST TIME I SAW
4 IT.

5 Q. DID YOU HAVE ANYTHING TO DO WITH THE CREATION OF
6 THAT BOOK?

7 A. NO. I WORKED WITH THE UNIT WHO DID, WHO PUT IT
8 TOGETHER.

9 Q. WHAT UNIT PUT IT TOGETHER?

10 A. THE LRH COMPILATION UNIT.

11 Q. HOW DO YOU KNOW THAT?

12 A. THEY PUT TOGETHER THESE BOOKS.

13 Q. HOW DO YOU KNOW THIS PARTICULAR ONE WAS PUT
14 TOGETHER BY THAT UNIT?

15 A. I KNEW MELANIE MURRAY, PHOEBE MOWER, SHARON
16 STORER, JESSICA WALDMAN, ALL OF WHOM WERE PART OF THAT
17 GROUP.

18 Q. AND YOU'RE READING FROM THE DOCUMENT NOW?

19 A. THIS IS IT, YEAH.

20 Q. DID YOU EVER TALK TO ANY OF THOSE INDIVIDUALS
21 ABOUT THIS PARTICULAR COURSE OR BOOKLET?

22 A. I WASN'T INVOLVED WITH THIS COURSE PARTICULARLY.

23 Q. NOW, LET ME ASK YOU, YOU'VE ALSO PRODUCED
24 MATERIALS THAT WERE GIVEN TO YOU THAT ARE MATERIALS ON TIME
25 MANAGEMENT. THERE'S A COPY OF A SPIRAL NOTEBOOK THAT HAS
26 VARIOUS LITTLE CARTOONS IN IT.

1 HAVE YOU LOOKED THROUGH THIS MATERIAL?

2 A. YES.

3 Q. AND ALSO "HOW TO INCREASE EFFICIENCY IN YOUR
4 COMPANY" COURSE PACK. HAVE YOU LOOKED THROUGH THAT?

5 A. YES.

6 Q. HAD YOU, BEFORE IT WAS SENT TO YOU BY
7 MR. RUMMONDS, HAD YOU SEEN THAT MATERIAL BEFORE?

8 A. LET ME LOOK AT THEM, TOO, AGAIN.

9 Q. ACTUALLY THERE ARE TWO COPIES IN THIS. IN
10 LOOKING AT --

11 A. I DON'T BELIEVE I HAD EVER SEEN EITHER OF THESE
12 IN THE FORM THAT THEY'RE IN.

13 Q. HAD YOU SEEN SOME OF THOSE MATERIALS IN OTHER
14 FORMS?

15 A. YES.

16 Q. IN WHAT FORMS?

17 A. THIS DOCUMENT IS --

18 Q. CAN YOU IDENTIFY WHAT YOU'RE READING?

19 A. THIS IS HOW TO INCREASE EFFICIENCY IN YOUR
20 COMPANY. THIS DOCUMENT TAKES A NUMBER OF HUBBARD POLICIES
21 AND TECHNIQUES, DRILLS AND SO ON, AND HAS SIMPLY STRIPPED
22 OFF THE PARTS WHICH IDENTIFIED IT AS COMING FROM HIS
23 BULLETINS.

24 METHOD THREE WORD CLEARING. I THINK I SAW THE
25 THREE BASKET SYSTEM IN HERE. DEV-T, DEV-T ANALYSIS,
26 EXECUTIVE RESPONSIBILITY. THESE ARE ALL -- ALL THIS DEV-T

1 SUMMARY LIST, THESE ARE HUBBARD POLICIES WHICH COME FROM --
2 THEY'RE CALLED HUBBARD COMMUNICATION OFFICE POLICY LETTERS.

3 AND THEY WERE ORIGINALLY PUBLISHED BY HUBBARD AS
4 INDIVIDUAL POLICY LETTERS. HE WOULD PUBLISH ONE OF THESE
5 THINGS OR A NUMBER OF THEM ON A GIVEN DAY. AND THEY WERE
6 MIMEOGRAPHED.

7 AND THEY WERE CREATED DURING MY TIME IN THE
8 ORGANIZATION, FIRST ON BOARD THE SHIP, AND THEN IN
9 CLEARWATER, FLORIDA.

10 THEN THERE BEGAN A PROJECT IN APPROXIMATELY 1968,
11 BUT I BELIEVE CULMINATED -- BEGINNING IN 1971, THESE POLICY
12 LETTERS BEGAN TO BE PUT SELECTIVELY INTO BOOKS AND BOUND IN
13 WHAT BECAME KNOWN AS THE ORGANIZATION EXECUTIVE COURSE.

14 Q. DID YOU TAKE THAT COURSE?

15 A. I TOOK A LOT OF IT, AND I DID THE PARTS WHICH
16 RELATED TO MY INDIVIDUAL POST, AS I WENT THROUGH SCIENTOLOGY
17 OR THE SEA ORGANIZATION. BUT I RECOGNIZE -- I THINK I
18 RECOGNIZE THE TERMS, AND I RECOGNIZE EVERY ONE THAT I'VE
19 SEEN SO FAR AS COMING FROM THOSE POLICY LETTERS.

20 Q. AND THOSE WERE POLICY LETTERS THAT HUBBARD WANTED
21 OFFICE PEOPLE TO FOLLOW IN THEIR BUSINESS HABITS DURING THE
22 DAY; IS THAT THE IDEA?

23 A. THEY WERE THE POLICIES BY WHICH ALL SCIENTOLOGY
24 ORGANIZATIONS WERE OPERATED. THEY WERE THE RULES OF
25 SCIENTOLOGY.

26 Q. THE RULES OF HOW YOU RAN THE OFFICE OR THE RULES

1 OF YOUR BELIEF SYSTEM?

2 A. THERE IS NO BELIEF SYSTEM IN SCIENTOLOGY.
3 SCIENTOLOGY IS NOT PREDICATED UPON BELIEF. HUBBARD SAYS
4 IT'S SCIENTIFICALLY AND DEMONSTRABLY TRUE. IT DOES NOT
5 REQUIRE BELIEF.

6 SO BELIEF, WHEN ONE ENTERS SCIENTOLOGY, IS
7 SUSPENDED. AND ONE DOES WHAT ONE IS TOLD TO DO. AND PART
8 OF WHAT ONE IS TOLD TO DO IS TO FOLLOW IN AN UNDEVIATING
9 FASHION THE POLICIES AS LAID DOWN BY HUBBARD, WHICH IS WHAT
10 THESE ARE.

11 Q. OKAY, THE SPIRAL BINDER, HAD YOU SEEN THOSE
12 MATERIALS BEFORE? YOU SAID NOT IN THAT FORM?

13 A. NO, I DON'T RECALL SEEING ANY OF THESE THINGS. I
14 NOTE IN THE BIBLIOGRAPHY THAT THESE THINGS ARE TAKEN FROM,
15 AND I RECOGNIZE THE VARIOUS DATA ON EACH PAGE, BUT I HAVE
16 NOT SEEN THE THING PUT TOGETHER IN THIS FORM BEFORE THIS.

17 Q. DO YOU KNOW ANYBODY WHO WORKED FOR THE WORLD
18 INSTITUTE OF SCIENTOLOGY ENTERPRISES?

19 A. NOW, WHEN YOU SAY WORKED FOR IT, WORLD INSTITUTE
20 OF SCIENTOLOGY ENTERPRISES IS A SEA ORG UNIT WITHIN
21 SCIENTOLOGY. SO THE PEOPLE WHO RUN W.I.S.E. ARE SEA ORG
22 PEOPLE, AND I DID KNOW SOME PEOPLE WHO WERE IN THE SEA ORG
23 UNIT WHICH OPERATED W.I.S.E.

24 ROGER -- ROGER BARNS, I KNEW. HE WAS THE HEAD OF
25 W.I.S.E. FOR A PERIOD OF TIME.

26 Q. DO YOU KNOW WHO HAS BEEN INVOLVED WITH W.I.S.E.

1 SINCE YOU LEFT?

2 A. NO.

3 Q. OTHER THAN ROGER BARNES, DO YOU KNOW ANYONE ELSE
4 PERSONALLY THAT HAS WORKED FOR THE W.I.S.E. ORGANIZATION?

5 A. I MAY, BUT I DON'T KNOW OF THEM RIGHT NOW.

6 Q. DO YOU KNOW ANYBODY WHO HAS WORKED WITH OR FOR
7 SMITH AND ASSOCIATES?

8 A. NO, ALTHOUGH MIKE SMITH -- IT'S VERY POSSIBLE
9 THAT HE IS ONE OF TWO MIKE SMITHS THAT I KNOW FROM
10 SCIENTOLOGY. AND I KNEW -- AS I SAY, I KNEW TWO OF THEM,
11 AND I BELIEVE HE IS ONE OF THE TWO.

12 Q. DESCRIBE THE TWO MIKE SMITHS YOU KNOW.

13 A. ONE IS SHORTER AND DARK. AND ONE IS TALLER AND
14 FAIRER. AND I BELIEVE THAT THIS IS THE SHORTER AND DARKER
15 OF THE TWO.

16 Q. WHERE DID YOU MEET HIM?

17 A. IN LOS ANGELES.

18 Q. IN WHAT CONTEXT?

19 A. IN CONNECTION WITH MY WORK ON THE HUBBARD
20 BIOGRAPHY, IN ABOUT 1980.

21 Q. WHAT REASON DID YOU HAVE TO TALK TO HIM?

22 A. I BELIEVE THAT I CONTACTED HIM IN CONNECTION WITH
23 THE HUBBARD BIOGRAPHY, TO ARRANGE AN INTERVIEW. AND IT MAY
24 HAVE BEEN BECAUSE HE WAS CONNECTED TO SOMEONE ELSE THAT I
25 WANTED TO GET TO, TO INTERVIEW, BUT I DID TALK WITH THIS
26 MIKE SMITH ABOUT THE HUBBARD BIOGRAPHY PROJECT AT THAT TIME.

1 Q. DO YOU KNOW WHAT HIS POSITION WAS AT THE TIME?

2 A. I DON'T BELIEVE HE WAS ON STAFF. I THINK THAT HE
3 WAS A FIELD PERSON DOING SOMETHING LIKE THIS AT THAT TIME.

4 Q. LIKE WHAT?

5 A. CONSULTING, MANAGEMENT CONSULTING.

6 Q. DID YOU FOLLOW HIS CAREER AT ALL SINCE THE TIME
7 YOU MET HIM IN 1980?

8 A. NO.

9 Q. DO YOU KNOW ANYTHING ABOUT SMITH AND ASSOCIATES?

10 A. UM-UM.

11 Q. AND THE OTHER MIKE SMITH, THE TALLER AND FAIRER
12 ONE, WHEN DID YOU MEET HIM?

13 A. IN 1980.

14 Q. WHAT WAS HIS POSITION?

15 A. HE HAD SOMETHING TO DO WITH L. RON HUBBARD
16 ACCOUNTS. THERE WAS A POST CALLED L. RON HUBBARD ACCOUNTS,
17 AND THERE WAS A SEA ORG POST THAT TOOK CARE OF HUBBARD'S
18 PERSONAL ACCOUNTS.

19 Q. AND YOU BELIEVE THAT THE MIKE SMITH --

20 A. MY -- JUST A GUESS. I DON'T KNOW. IT COULD BE
21 NEITHER OF THEM, BUT I KNEW TWO.

22 Q. OKAY, HAVE YOU EVER MET INGRID GUDENAS?

23 A. I DON'T BELIEVE SO.

24 Q. DO YOU KNOW ANYTHING ABOUT INGRID GUDENAS?

25 A. I HAVE HEARD THAT SHE, I BELIEVE, RUNS APPLIED
26 SCHOLASTICS OUT OF AN OFFICE IN FREMONT.

1 Q. DO YOU KNOW ANYTHING BEYOND THAT?

2 A. NO.

3 Q. DO YOU KNOW ANYTHING ABOUT THE ORGANIZATION
4 CALLED APPLIED SCHOLASTICS OTHER THAN WHAT YOU'VE TESTIFIED?

5 A. NO.

6 Q. I'M SORRY?

7 A. NO, NOT OTHER THAN WHAT I'VE TESTIFIED ABOUT.

8 Q. DO YOU KNOW WHETHER APPLIED SCHOLASTICS PAYS ANY
9 MONEY TO THE CHURCH OR VICE VERSA?

10 A. I DON'T HAVE THAT PERSONAL KNOWLEDGE. I HAD AN
11 UNDERSTANDING BY THE TIME I LEFT THAT ROYALTIES WERE
12 BEING -- THAT WAS W.I.S.E.'S FUNCTION.

13 Q. WHAT WAS W.I.S.E.'S FUNCTION?

14 A. BOTH THE OVERSEEING OF THE APPLICATION OF
15 SCIENTOLOGY TECHNOLOGY IN OTHER AREAS; THAT IS, BUSINESS,
16 EDUCATION, AND THE OBTAINING, BILLING AND COLLECTING
17 ROYALTIES. BUT THAT WAS JUST KNOWLEDGE WHICH I HAD AT THE
18 TIME I WAS LEAVING AND WHEN W.I.S.E. WAS BEING ESTABLISHED.

19 Q. AND DO YOU KNOW WHAT THE CONNECTION BETWEEN
20 W.I.S.E. AND APPLIED SCHOLASTICS IS, IF ANY? ARE YOU SAYING
21 THERE'S A CONNECTION? BECAUSE I HAD STARTED BY ASKING YOU
22 ABOUT APPLIED SCHOLASTICS AND YOU ANSWERED ABOUT W.I.S.E.

23 SO ARE YOU SAYING THERE'S A CONNECTION?

24 A. I'M SORRY, I THOUGHT YOU ASKED ABOUT W.I.S.E.

25 Q. NO, I ASKED ABOUT APPLIED SCHOLASTICS.

26 A. OKAY, SO --

1 MR. ELSTEAD: WHAT'S THE QUESTION?

2 THE WITNESS: I --

3 MR. ELSTEAD: WAIT A MINUTE.

4 MS. REMMERS: I WANT TO SEE IF HE WANTS TO
5 CORRECT HIS RESPONSE.

6 MR. ELSTEAD: TO WHAT?

7 BY MS. REMMERS: Q. I STARTED BY ASKING YOU IF
8 YOU KNEW ANYTHING ABOUT APPLIED SCHOLASTICS BEYOND WHAT YOU
9 TESTIFIED TO, AND YOU SAID NO.

10 IS THAT STILL CORRECT?

11 A. RIGHT, THEN I THOUGHT YOU ASKED ABOUT W.I.S.E.

12 Q. NO, I DIDN'T ASK ABOUT W.I.S.E. NEXT.

13 A. OKAY.

14 Q. I ASKED YOU WHETHER YOU KNEW WHETHER THE CHURCH
15 HAD CONTRIBUTED ANY MONEY TO APPLIED SCHOLASTICS OR VICE
16 VERSA, AND THAT'S WHEN YOU ANSWERED THAT WAY.

17 A. I DON'T KNOW WHAT THEIR FINANCIAL RELATIONSHIP
18 IS.

19 Q. OKAY. DO YOU KNOW WHAT THE FINANCIAL
20 ARRANGEMENT, IF ANY, IS WITH W.I.S.E.?

21 A. I DON'T KNOW WHAT THE RELATIONSHIP IS WITH ANY OF
22 THEM IN PRESENT TIME.

23 AND ALL I KNEW ABOUT, WHEN I WAS LEAVING THE
24 ORGANIZATION, AROUND THAT TIME, BECAUSE THAT IS WHEN
25 W.I.S.E. WAS ESTABLISHED, WAS THAT IT WAS SET UP, HEADED BY
26 SEA ORG MEMBERS.

1 SEA ORG MEMBERS ARE SCIENTOLOGY STAFFERS WHO HAVE
2 TAKEN A BILL -- A YEAR CONTRACT; AND THAT W.I.S.E. WAS SET
3 UP TO SUPERVISE THE APPLICATION OF SCIENTOLOGY TECHNOLOGY IN
4 BUSINESS OR OTHER FIELDS SUCH AS EDUCATION; AND THAT THEY
5 DERIVED A ROYALTY FROM BUSINESSES WHICH APPLIED SCIENTOLOGY,
6 ADMINISTRATIVE OR OTHER, TECHNOLOGY.

7 Q. SO THEY RAN LIKE -- CORRECT ME IF I'M WRONG --
8 LIKE A LICENSING ORGANIZATION SO THAT PEOPLE COULD BUY THE
9 RIGHT TO DISSEMINATE HUBBARD TECHNOLOGY; IS THAT RIGHT?

10 A. I -- THOSE ARE YOUR WORDS, AND I HESITATE TO SAY
11 ANYTHING ABOUT IT BEYOND WHAT I KNEW AT THE TIME. AND I
12 UNDERSTOOD AT THE TIME -- I WAS NOT DIRECTLY INVOLVED IN IT
13 MYSELF, IN APPLIED SCHOLASTICS OR W.I.S.E. I DID NOT WORK
14 IN EITHER OF THOSE UNITS.

15 Q. NOW, YOU SAID THAT YOU MET WITH MR. ELSTEAD ON
16 SUNDAY, THE 23RD, WHICH IS TWO DAYS AFTER YOU MET WITH
17 MR. RUMMONDS?

18 A. RIGHT.

19 Q. HOW LONG DID YOU MEET WITH MR. ELSTEAD?

20 A. PERHAPS AN HOUR. PERHAPS HALF-AN-HOUR.

21 Q. WHERE WAS THAT?

22 A. IN A COFFEE SHOP IN BERKELEY.

23 Q. WAS ANYONE ELSE PRESENT?

24 A. NO.

25 Q. AND CAN YOU TELL ME WHAT YOU TWO TALKED ABOUT?

26 A. WE HAD A COUPLE OF PIECES OF BUSINESS, SOME OF

1 WHICH DOES NOT INVOLVE THIS CASE AND I WILL NOT GET INTO
2 THAT.

3 BUT INVOLVING THIS CASE, I TOLD HIM ABOUT MY
4 MEETING WITH JIM RUMMONDS. I TOLD HIM OF MY ASSESSMENT OF
5 THE CASE AT THAT TIME. I STATED THAT IN MY VIEW, FROM WHAT
6 I HAD SEEN, THAT SCIENTOLOGY WAS INVOLVED, AND THAT THE WAY
7 THE PLAINTIFFS APPEARED TO HAVE BEEN TREATED WAS CONSISTENT
8 WITH SCIENTOLOGY DEALINGS.

9 Q. SO WHEN YOU SAY YOU TOLD MR. ELSTEAD THAT
10 SCIENTOLOGY WAS INVOLVED, WHAT DO YOU MEAN BY THAT?
11 INVOLVED IN WHAT WAY?

12 A. THAT APPLIED SCHOLASTICS WAS A -- SIMPLY A
13 RESTATEMENT OF SCIENTOLOGY PROCEDURES AND PRACTICES.

14 Q. WERE YOU OPINING THAT YOU FELT THAT ANYONE AT
15 APPLIED MATERIALS WAS A SCIENTOLOGIST THAT WAS ACTING
16 AGAINST PLAINTIFFS HERE? WAS THAT THE OPINION YOU EXPRESSED
17 TO MR. ELSTEAD?

18 A. AT THAT TIME I DID NOT KNOW, AND I STILL DO NOT
19 KNOW WHO EXACTLY THE SCIENTOLOGISTS ARE WHO ARE INVOLVED.

20 Q. HAVE YOU EVER MET A SCIENTOLOGIST THAT YOU KNOW
21 TO WORK AT APPLIED MATERIALS?

22 A. NO.

23 Q. BUT IS IT PART OF YOUR OPINION THAT THERE ARE
24 EMPLOYEES AT APPLIED MATERIALS WHO ARE SCIENTOLOGISTS AND
25 WHO HAVE TAKEN ADVERSE ACTIONS AGAINST THE PLAINTIFFS IN
26 THIS CASE?

1 A. ONLY THAT THE WAY THEY WERE DEALT WITH IS
2 CONSISTENT WITH THE WAY SCIENTOLOGY DEALS WITH WHAT IT
3 PERCEIVES ARE ITS CRITICS.

4 Q. WHAT IS THAT?

5 A. AND THE SECOND PART OF THAT IS THAT
6 SCIENTOLOGISTS OFTEN AGREE TO NOT ADMIT TO THEIR CONNECTION
7 TO THE SCIENTOLOGY ORGANIZATION, TO ASSUME VARIOUS COVERS,
8 AND TO OBSTRUCT JUSTICE; THAT IS, TO DENY INVOLVEMENT OR TO
9 TESTIFY FALSELY AS TO FACTS OR LINES OF CONTROL.

10 Q. SO IS IT YOUR OPINION IN THIS CASE, BASED ON YOUR
11 REVIEW OF THE MATERIALS YOU'VE BEEN PROVIDED SO FAR AND YOUR
12 DISCUSSIONS WITH COUNSEL AND PLAINTIFFS, THAT THERE ARE
13 EMPLOYEES AT APPLIED MATERIALS THAT ARE SCIENTOLOGISTS THAT
14 ARE DENYING THAT THEY ARE SCIENTOLOGISTS?

15 A. NO, BUT IF THAT WERE THE CASE, THAT IS CONSISTENT
16 WITH THE PRACTICES OF SCIENTOLOGY.

17 Q. WHAT ELSE DO YOU RECALL ABOUT YOUR DISCUSSION
18 WITH MR. ELSTEAD ON THE 23RD?

19 MR. ELSTEAD: REGARDING THIS CASE?

20 BY MS. REMMERS: Q. RIGHT.

21 A. I TOLD HIM -- I THINK WE WENT OVER SCHEDULING AT
22 THAT TIME, THAT MY DEPOSITION WAS GOING AHEAD AND AGREED TO
23 ON A CERTAIN DATE. I ASKED FOR HIS PERMISSION TO TALK TO
24 HIS CLIENTS. I DID THAT WITH MR. RUMMONDS AS WELL. THAT'S
25 ANOTHER THING, BECAUSE I WANTED TO DO THAT IN ORDER TO GET
26 THEIR STATEMENTS.

1 AND SO HE -- HE AGREED THAT I COULD AT THAT TIME,
2 AND HE MAY HAVE GIVEN ME THE -- A WAY OF CONTACTING THEM
3 THEN, BUT I THINK HE CALLED ME BACK A DAY OR TWO LATER.

4 Q. NOW, DID MR. ELSTEAD TELL YOU WHAT HE WANTED YOU
5 TO TESTIFY ABOUT ON BEHALF OF HIS CLIENTS?

6 A. MY RECOLLECTION IS THAT I PRESENTED TO HIM HOW I
7 CONSIDERED THAT MY KNOWLEDGE AND MY AREA OF EXPERTISE FIT
8 INTO WHAT I THEN KNEW OF THE CASE.

9 Q. AND HAVE YOU TOLD ME WHAT YOU TOLD HIM, IN THAT
10 MEETING?

11 A. PRINCIPALLY, I THINK YOU GET THE PICTURE OF WHERE
12 I'M COMING FROM, AND WHAT I KNOW, AND WHAT OPINION I FORMED
13 REGARDING THIS CASE.

14 Q. HAVE YOU TOLD ME EVERY OPINION YOU NOW HOLD . . .

15 A. OH, I DON'T KNOW.

16 Q. . . . ABOUT THIS CASE?

17 WELL, THAT'S WHAT WE'RE HERE TO DO.

18 A. WELL, YOU CAN SET UP SITUATIONS AND ASK MY
19 OPINION. THERE ISN'T ANYTHING THAT I'M WITHHOLDING ABOUT AN
20 OPINION BUT --

21 Q. WELL, HAVE YOU FORMED ANY OTHER OPINIONS THAT YOU
22 BELIEVE YOU ARE QUALIFIED TO TESTIFY ABOUT IN THIS CASE,
23 OTHER THAN WHAT YOU'VE ALREADY TESTIFIED TO UNDER OATH?

24 A. NOTHING COMES TO MIND.

25 Q. NOW, DID YOU THEN GO AHEAD AND TALK TO THE
26 PLAINTIFFS? YOU SAID --

1 A. YES.

2 Q. AND WHO DID YOU TALK TO?

3 A. I CALLED KATE SCHUCHMANN.

4 Q. UH-HUH.

5 A. AND I CALLED VIRGINIA. AND THEN FROM MY
6 CONVERSATION WITH VIRGINIA CAME A MEETING WITH HER AND
7 STEVEN HUNZIKER.

8 Q. SO HOW LONG DID YOU TALK WITH KATE SCHUCHMANN?

9 A. OH, JUST VERY BRIEFLY TO MAKE ARRANGEMENTS TO
10 CALL HER AT ANOTHER TIME.

11 Q. SO HOW LONG APPROXIMATELY?

12 A. A COUPLE MINUTES.

13 Q. AND THEN DID YOU CALL HER AGAIN?

14 A. THEN I SPOKE TO HER YESTERDAY.

15 Q. ON THE TELEPHONE?

16 A. I HAD -- IT HAD BEEN MY DESIRE TO SPEAK TO HER
17 BEFORE THIS DEPOSITION, BUT WE JUST COULD NOT COORDINATE
18 GETTING TOGETHER.

19 Q. SO YOU SPOKE WITH HER ON THE TELEPHONE YESTERDAY?

20 A. RIGHT. BUT AGAIN JUST TO SAY IT LOOKED LIKE WE
21 WOULDN'T GET TOGETHER, AND I'LL, IF AT ALL POSSIBLE, I WILL
22 MEET WITH HER.

23 Q. SO YOU'VE HAD TWO CONVERSATIONS WITH HER, BOTH
24 BRIEF?

25 A. RIGHT.

26 Q. DID SHE TELL YOU ANYTHING ABOUT THE FACTS AS SHE

1 KNOWS THEM IN THE CASE?

2 A. NO.

3 Q. WHAT ABOUT VIRGINIA SANDERS THEN? YOU MET WITH
4 VIRGINIA AND STEVEN HUNZIKER?

5 A. RIGHT.

6 Q. WHEN WAS THAT?

7 A. SATURDAY, THIS PAST SATURDAY.

8 Q. WHERE WAS THAT?

9 A. IN SUNNYVALE, OKAY.

10 Q. WHERE IN SUNNYVALE?

11 A. IN A HOTEL.

12 Q. WHAT HOTEL?

13 A. HILTON.

14 Q. WHO WAS PRESENT BESIDES YOU AND VIRGINIA SANDERS
15 AND STEVEN HUNZIKER?

16 A. NO ONE.

17 Q. HOW LONG DID YOU SPEND?

18 A. PERHAPS THREE HOURS.

19 Q. AND WHAT DID THEY TELL YOU? AND YOU CAN INCLUDE
20 IN THAT THE DISCUSSION THAT YOU HAD WITH VIRGINIA SANDERS BY
21 TELEPHONE, TOO, TO MAKE IT FASTER.

22 A. OKAY, THE TELEPHONE CONVERSATION WITH VIRGINIA
23 JUST CONCERNED GETTING TOGETHER AND A TIME AND LOCATION.

24 Q. OKAY.

25 A. AND THEN I MET WITH THEM.

26 Q. HAD YOU EVER TALKED TO ANY OF THE THREE

1 PLAINTIFFS BEFORE IN YOUR LIFE?

2 A. NO.

3 Q. OKAY. WHAT DO YOU RECALL BEING SAID IN THE
4 THREE-HOUR MEETING?

5 A. IT GENERALLY CONCERNED THEIR RECITATION OF WHAT
6 HAPPENED TO THEM.

7 Q. WHAT DID THEY TELL YOU HAPPENED TO THEM?

8 A. THAT THEY WERE BOTH EMPLOYED IN APPLIED
9 MATERIALS, I BELIEVE IN HUMAN RESOURCES, ONE OF THOSE
10 DEPARTMENTS, AND THAT I -- MY RECOLLECTION IS THAT KATE WAS
11 THE FIRST ONE, THAT KATE HAD BEEN INVOLVED AND HAD DONE A
12 COURSE PRIOR TO THEIR BECOMING INVOLVED, AND THAT NEITHER OF
13 THEM ACTUALLY DID A COURSE, BUT BLEW THE WHISTLE ON IT BEING
14 SCIENOTOLOGY BEFORE THE COURSE WAS EVER IMPLEMENTED OR DID
15 ANYTHING ABOUT IT.

16 VIRGINIA HAD BEEN BROUGHT TO A SCIENOTOLOGY -- I
17 THINK THE STEVENS CREEK SCIENOTOLOGY ORGANIZATION, AND HAD
18 BEEN -- HAD GONE THROUGH REALLY A METERED, WHAT I WOULD CALL
19 DFP INTERVIEW.

20 Q. WHAT'S THAT?

21 A. DIRECTOR OF PROCESSING.

22 WHICH IS AN INTERVIEW WHICH IS DONE EITHER AS AN
23 INTRODUCTORY ACTION, KIND OF TO GROOVE YOU IN ON SCIENOTOLOGY
24 PROCEDURES, OR AS A POINT WHICH IS REGULARLY DONE IN
25 AUDITING, WHERE, IN AN OFFICE SETTING, YOU ARE INTERVIEWED
26 BY THE DIRECTOR OF PROCESSING AS OPPOSED TO AUDITING BY AN

1 AUDITOR.

2 Q. NORMALLY, IN THE CHURCH OF SCIENTOLOGY, YOUR
3 FIRST INTRODUCTION TO SCIENTOLOGY WOULD NOT BE A TRUE
4 AUDITING SESSION, WOULD IT?

5 A. THERE ISN'T ANY ABSOLUTE NORM AS TO HOW -- HOW
6 ONE IS BROUGHT IN.

7 Q. THERE'S NO PROCEDURE?

8 A. LET ME JUST EXPLAIN. SOME PEOPLE ARE BROUGHT IN
9 WITH PERSONALITY TESTS. SOME PEOPLE READ A BOOK. SOME
10 PEOPLE ARE DISSEMINATED TO BY FRIENDS. SOME PEOPLE COULD BE
11 PUT ON THE METER AND ASKED QUESTIONS RIGHT AWAY.

12 IT REALLY IS A MATTER OF WHAT HAPPENED TO HER.
13 AND THE WAY SHE DESCRIBES IT IS AN INCIDENT WHERE SHE WAS
14 BROUGHT IN BY A FRIEND, WHO WAS AN EMPLOYEE AT APPLIED
15 MATERIALS, AND THEN LEFT WITH SOMEONE, AND ASKED QUESTIONS.

16 AND THEY WENT THROUGH, I BELIEVE, A WORD CLEARING
17 PROCEDURE AND A PROCEDURE CLEARING PROCEDURE; THAT IS, THIS
18 IS WHAT I AM DOING, AND I'M GOING TO ASK YOU THESE
19 QUESTIONS, AND CLEARING MEANING.

20 SO HER DESCRIPTION OF IT WAS QUITE CONSISTENT
21 WITH THE SCIENTOLOGY INTRODUCTION AUDITING EXPERIENCE.

22 Q. DID SHE SAY WHETHER SHE WAS ASKED TO READ
23 ANYTHING IN PARTICULAR?

24 A. SHE MAY HAVE MENTIONED WORDS THAT WAY. SHE MAY.
25 AND I DIDN'T GO INTO IT IN ANY GREAT DETAIL WITH HER.

26 Q. THAT SHE WAS ASKED TO READ WORDS?

1 A. THAT'S MY RECOLLECTION, THAT THEY CLEARED SOME
2 WORDS, WHICH IS STANDARD PROCEDURE. BEFORE YOU GIVE SOMEONE
3 A COMMAND OR BEFORE YOU ASK THEM A QUESTION, YOU CLEAR THE
4 WORDS. AND THAT IS DONE IN AN AUDITING SETTING LIKE THAT ON
5 THE METER.

6 Q. DID SHE TELL YOU ABOUT ANYTHING ELSE THAT
7 HAPPENED TO HER?

8 A. I BELIEVE THAT SHE -- SHE AT SOME POINT SAID THAT
9 THAT'S ENOUGH, AND SHE HAD FELT LIKE, I GUESS, A LITTLE BIT
10 LIKE HER APPLIED MATERIALS FRIEND HAD SKIPPED ON HER AND
11 LEFT HER THERE HOLDING THE CANS. AND SHE ARRIVED AT A POINT
12 WHERE SHE SAID ENOUGH AND --

13 OH, THEN I THINK SHE WAS LOCKED IN THE ROOM FOR A
14 PERIOD OF 45 MINUTES OR SOMETHING, WHILE SOMEBODY WENT OFF
15 TO -- AND MAYBE SHE WAS BEING A PROBLEM, BUT I DIDN'T GET
16 INTO IT. SHE DIDN'T SEEM LIKE SHE WAS THAT KIND OF A PERSON
17 BUT IF --

18 Q. WAS THIS AN AUDITING SESSION SHE WAS DESCRIBING,
19 WHAT YOU WOULD CALL AUDITING?

20 A. WELL, IN THAT IT WAS ON -- IT WAS METERED. SO
21 SHE WAS BEING ASKED QUESTIONS AND SHE WAS HOLDING ON TO THE
22 SOUP CANS, THE ELECTRODES. SO IT'S AUDITING IN THAT SENSE.

23 NOW IT MAY HAVE BEEN DONE BY SOMEONE WHO WAS
24 WEARING THE HAT OF DFP, OR WEARING A HAT OF REGISTRAR, OR
25 SOMETHING ELSE, SOME INTRODUCTORY PERSON WHO WAS DOING
26 SOMETHING TO GET HER TO A POINT OF AGREEING TO BECOME

1 INVOLVED WITH SCIENTOLOGY, TAKE A COURSE OR READ A BOOK OR
2 SOMETHING.

3 Q. IN YOUR EXPERIENCE WOULD THAT BE TYPICAL TO HAVE
4 SOMEONE LOCKED IN A ROOM, PHYSICALLY UNABLE TO LEAVE FOR 45
5 MINUTES AFTER A SESSION?

6 A. IT'S NOT TYPICAL.

7 Q. HAVE YOU EVER SEEN THAT DONE?

8 A. WELL, I'VE SEEN OTHER PEOPLE LOCKED UP.

9 Q. LIKE THE DESCRIPTION YOU GAVE OF WHEN YOU WERE
10 PUT IN THAT UNIT; IS THAT WHAT YOU'RE TALKING ABOUT?

11 A. YEAH, BUT I'VE SEEN PEOPLE LOCKED UP WHEN THEY
12 BEGAN TO FREAK OUT.

13 Q. YOU MEAN FOR THEIR OWN PROTECTION?

14 A. WELL, IT GENERALLY -- IT WASN'T REALLY FOR THEIR
15 OWN PROTECTION. IT WAS SO THEY DIDN'T CREATE A FLAK WHICH
16 WOULD BE EMBARRASSING FOR THE ORGANIZATION OR CAUSE THE
17 ORGANIZATION SOME KIND OF LEGAL TROUBLE DOWN THE ROAD.

18 Q. HAVE YOU EVER SEEN ANYONE WHO HAS NEVER BEEN
19 INTRODUCED TO SCIENTOLOGY BEFORE, BUT IS A RECRUIT, BEING
20 LOCKED UP ON THE FIRST SESSION FOR 45 MINUTES, POUNDING ON A
21 DOOR AND NOT BEING LET OUT, EVER, IN YOUR EXPERIENCE?

22 A. NO, BUT AGAIN I HAVE SEEN PEOPLE POUNDING ON
23 DOORS. IN FACT, NOT JUST FOR 45 MINUTES BUT FOR DAYS, AND
24 NOT BEING LET OUT.

25 Q. OKAY, WHAT ELSE DO YOU RECALL THE PLAINTIFFS
26 TELLING YOU?

1 A. THAT STEVEN WENT -- WHO HAD, I BELIEVE, LITTLE
2 UNDERSTANDING OF SCIENTOLOGY, LITTLE CONTACT WITH THEM AT
3 THAT TIME, BUT CAME FROM AN ACADEMIC BACKGROUND, AND SAW
4 THIS MATERIAL BY L. RON HUBBARD AS NON-ACADEMIC, AND
5 INITIATED A PROTEST.

6 Q. DID HE TELL YOU WHAT HE DID TO PROTEST?

7 A. I RECALL THAT HE WENT TO THE IN-HOUSE LEGAL GUY.
8 THE NAME COULD BE DELONG.

9 Q. UH-HUH.

10 A. SO HE WENT TO THE LEGAL DEPARTMENT WITH A
11 PROTEST; AND ALSO I BELIEVE ATTEMPTED TO TALK TO SOMEONE,
12 WHO I RECALL WAS NAMED GLEN TONEY. AND I DON'T KNOW IF HE
13 WAS SUCCESSFUL IN HIS ATTEMPT TO COMMUNICATE AT THAT TIME OR
14 NOT.

15 I BELIEVE HE SAID ALONG THE WAY THAT HE -- THAT
16 TONEY AVOIDED THIS CONFRONTATION OR THIS ISSUE FOR SOME
17 PERIOD OF TIME. THEN HE MENTIONED THAT THE PEOPLE WHO WERE
18 INVOLVED BEGAN TO ATTACK HIM PERSONALLY AND BEGAN AN ASSAULT
19 ON HIS CHARACTER.

20 Q. CAN YOU TELL ME WHAT HE SAID THEY DID?

21 A. THEIR --

22 Q. WHO DID WHAT, ACCORDING TO MR. HUNZIKER?

23 A. HE -- HE MENTIONED INCIDENTS WHERE HE WAS
24 VERBALLY ABUSED, WAS HIS -- HE SAID IT MORE POETICALLY THAN
25 THAT -- FOR LONG PERIODS OF TIME, LIKE FOR SOME LONG
26 STRETCHES, AND IT COULD BE INTO HOURS.

1 Q. WHO VERBALLY ABUSED HIM?

2 A. THE NAME LINDA OXMAN COMES TO MIND. GLEN TONEY
3 MAY HAVE PARTICIPATED IN THAT. BUT THE CHARACTER
4 ASSASSINATION THAT APPEARS TO HAVE GONE ON -- HE SHOWED ME A
5 LIST OF THINGS WHICH HAVE BEEN -- ACCUSATIONS WHICH HAVE
6 BEEN MADE ABOUT HIM.

7 Q. LIKE WHAT?

8 A. THEY TENDED TO BE BROAD GENERALITIES WITHOUT ANY
9 SPECIFICS, AND THAT WAS THE WAY HE DESCRIBED IT AS WELL, THE
10 WAY HE WAS DEALT WITH, WITH INNUENDO.

11 Q. WHAT ELSE DO YOU RECALL HIM TELLING YOU?

12 A. AND THAT THROUGH THAT -- I THINK THAT THIS WENT
13 ON FROM OCTOBER THROUGH FEBRUARY PERHAPS OF THE NEXT YEAR,
14 AND THAT DURING THAT TIME HE CONTINUED ON. HE SAID THAT
15 WORK WAS HEAPED ON HIM, AND HIS PERFORMANCE WAS -- IT JUST
16 COULDN'T BE GOOD ENOUGH BUT HE WAS BEING LANDED WITH MORE
17 WORK THAN HE COULD POSSIBLY DO.

18 Q. HE TOLD YOU THAT?

19 A. (WITNESS NODS HEAD)

20 Q. DID HE DESCRIBE FOR YOU WHAT WORK HE WAS UNABLE
21 TO DO?

22 A. I DON'T THINK I ASKED THE QUESTION.

23 Q. DID HE DESCRIBE WHAT KIND OF WORK WAS BEING
24 HEAPED ON HIM?

25 A. I THINK TRAINING PEOPLE.

26 Q. ANYTHING ELSE?

1 A. THAT'S WHAT COMES TO MIND.

2 Q. CAN YOU RECALL ANYTHING ELSE HE TOLD YOU ABOUT
3 HIS TREATMENT AFTER HE COMPLAINED?

4 A. THE GIST OF WHAT IT WAS WAS THAT THERE WAS A
5 COMPLETE TURN AROUND, AND FROM BEING ON ONE DAY A FULLY
6 FUNCTIONING, ACCEPTED MEMBER OF THE GROUP, HE WAS ON THE
7 OUTS, AND HIS VIEWS AND HIS WORKS WERE THEREAFTER DENIGRATED
8 UNIFORMLY.

9 Q. BY WHOM?

10 A. HIS SENIORS.

11 Q. DID HE TELL YOU WHO?

12 A. LINDA OXMAN, AND THERE MAY BE SOMEONE ELSE
13 INVOLVED. I THINK SHE'S THE MAIN, THE MAIN ONE AS FAR AS HE
14 KNOWS. GLEN TONEY'S NAME --

15 Q. DID HE TELL YOU WHETHER HE HAD REASON TO BELIEVE
16 LINDA OXMAN AND/OR GLEN TONEY WAS A SCIENTOLOGIST?

17 A. REASON TO BELIEVE, YES. PROOF THAT THEY WERE,
18 NO.

19 Q. WHAT WAS HIS REASON TO BELIEVE THAT THEY WERE?

20 A. BECAUSE THEY -- THEY APPEARED TO BACK UP AND BE
21 UNWILLING TO TAKE ANY KIND OF EITHER CRITICAL OR, IN HIS
22 MIND, EVEN A SENSIBLE VIEW OF WHAT THEY WERE BEING ASKED TO
23 DO.

24 AND THE IMPLEMENTATION OF SCIENTOLOGY PROCEDURES
25 AND POLICIES WITHIN APPLIED MATERIALS -- HE HAD A CONCEPT
26 WHERE HIS PERFORMANCE IS RATED ON HIS ABILITY TO, AFTER

1 BEING TRAINED ON THIS MATERIAL HIMSELF, TO HAVING TO TRAIN
2 OTHERS ON IT, TO BECOME A TRAINER IN SCIENTOLOGY MATERIAL,
3 IN THAT SORT OF COVERT MANNER, AND THAT HIS PERFORMANCE
4 WOULD THEN BE RATED ON HIS ABILITY TO GET OTHER PEOPLE
5 TRAINED ACCORDING TO SCIENTOLOGY'S RULES.

6 Q. DID HE TELL YOU THAT THAT WAS THE PLAN, THAT HE
7 WAS GOING TO BE ASKED TO TEACH THE COURSE THAT HE WAS GOING
8 TO TAKE THAT WAS HUBBARD BASED?

9 A. THAT WAS MY UNDERSTANDING, THAT IT WOULD BE --
10 THAT HIS JOB PERFORMANCE DOWN THE LINE WOULD BE BASED ON
11 THAT.

12 Q. DID HE TELL YOU HE WAS TOLD THAT BY HIS
13 SUPERIORS?

14 A. I DON'T RECALL THAT.

15 Q. DO YOU RECALL WHAT COURSE HE WAS OBJECTING TO
16 TAKING, HE WAS ASKED TO TAKE AND OBJECTED TO?

17 A. HE DEFINITELY TOLD ME, AND YOU MAY HAVE IT THERE.

18 Q. DID HE TELL YOU THAT IT WAS THE KEY TO EFFECTIVE
19 TRAINING?

20 A. THAT'S THE ONE THAT'S GOT THE THREE BASKET SYSTEM
21 IN IT?

22 Q. NO, THAT'S TIME MANAGEMENT.

23 A. OKAY.

24 Q. LET ME ASK YOU IF YOU HAVE EVER SEEN THESE
25 MATERIALS. AND WHAT IT SAYS IS, "APPLIED SCHOLASTICS
26 INTERNATIONAL, EXHIBIT D, PAGE 1, KEY TO EFFECTIVE

1 COMPREHENSION," AND THEN THERE ARE MANY PAGES THAT FOLLOW,
2 INCLUDING A BOOKLET, "THE ART OF LISTENING AND
3 COMMUNICATING."

4 LET ME ASK YOU IF YOU'VE SEEN THAT BEFORE THEY
5 WERE GIVEN TO YOU BY MR. RUMMONDS?

6 A. NO, NOT IN THIS FORM.

7 Q. HAVE YOU SEEN IT IN ANY FORM?

8 A. YEAH, THESE --

9 Q. WHEN HAD YOU SEEN THAT BEFORE YOU LEFT THE
10 CHURCH? LET ME ASK YOU THAT.

11 DID YOU EVER SEE IT BEFORE YOU LEFT THE CHURCH?

12 A. MUCH OF IT.

13 Q. OKAY. BUT NOT IN THAT FORM?

14 A. RIGHT.

15 Q. IS THIS LIKE THE OTHER, A SIMPLIFIED VERSION OF
16 WHAT YOU HAD SEEN?

17 A. RESTRUCTURED. SO MUCH OF THE LANGUAGE IS THE
18 SAME, IS HUBBARD'S LANGUAGE.

19 Q. IS THIS A COURSE THAT YOU HAD EVER TAKEN?

20 A. I HAD TAKEN WHAT'S CALLED IN SCIENTOLOGY THE
21 STUDENT HAT OR THE STUDY COURSE. SO I HAD DONE THESE, READ
22 AND STUDIED MANY OF THESE, MISUNDERSTOOD WORDS AND CYCLES OF
23 ACTION.

24 Q. WHAT ELSE DO YOU RECALL STEVEN HUNZIKER TELLING
25 YOU ABOUT HIS TREATMENT? DID HE TELL YOU HE QUIT?

26 A. YES.

1 Q. DID HE TELL YOU THAT HE HAD TALKED TO FORD GREENE
2 A NUMBER OF TIMES BEFORE HE QUIT?

3 A. I DON'T RECALL THAT.

4 Q. DID HE TELL YOU THAT RIGHT AFTER HE COMPLAINED TO
5 THE COMPANY, THE COMPANY DECIDED NOT TO OFFER ANY COURSES
6 EVER AGAIN THAT WERE AUTHORED BY L. RON HUBBARD?

7 A. THERE -- I BELIEVE THAT WHAT HE SAID, AND I THINK
8 THAT THERE'S A DOCUMENT HERE, INCLUDED IN THIS GROUP OF
9 MATERIALS WHICH I BROUGHT, WHICH STATED THAT THE DECISION
10 WOULD BE MADE BY -- IS IT EDD?

11 Q. YOU TELL ME.

12 A. WOULD BE MADE BY THAT, THAT UNIT IN APPLIED
13 MATERIALS, WITH REGARDS TO FUTURE COURSES TO BE GIVEN WITHIN
14 THE COMPANY.

15 Q. DO YOU HAVE ANY IDEA WHETHER THE COMPANY HAS EVER
16 TAUGHT ANYTHING BY L. RON HUBBARD SINCE MR. HUNZIKER
17 COMPLAINED?

18 A. OH, NO INFORMATION.

19 Q. DO YOU RECALL ANYTHING ELSE STEVEN HUNZIKER TOLD
20 YOU ABOUT HIS TREATMENT AFTER HE COMPLAINED?

21 A. NOTHING COMES TO MIND.

22 Q. WHAT DO YOU RECALL, IF ANYTHING, THAT VIRGINIA
23 SANDERS TOLD YOU ABOUT HER TREATMENT, ONCE SHE LEFT -- OR
24 ONCE SHE COMPLAINED? OR DID SHE TELL YOU THAT SHE
25 COMPLAINED?

26 A. YEAH. YEAH, SHE TOLD ME THAT SHE ALSO

1 PARTICIPATED IN THE -- OR WAS A RECIPIENT OF THE VERBAL
2 ABUSE, THE HARANGUES FROM THEIR SENIORS.

3 Q. DO YOU REMEMBER WHO SHE SAID VERBALLY ABUSED HER?

4 A. MY RECOLLECTION WAS LINDA OXMAN.

5 Q. DO YOU RECALL ANYTHING ELSE THAT VIRGINIA SANDERS
6 SAID ABOUT HER TREATMENT?

7 A. THE IDEA THAT THEY CONVEYED WAS THAT THEY WERE --
8 THAT SHE WENT FROM BEING AN ACCEPTABLE, FUNCTIONING PART OF
9 THE COMPANY, TO A FEELING THAT SHE WAS BEING OSTRASIZED AND
10 HER WORK PRODUCT UNACCEPTABLE.

11 Q. DID SHE LEAD YOU TO BELIEVE THAT HER WORK PRODUCT
12 HAD NEVER BEEN CHALLENGED BEFORE SHE MADE AN OBJECTION TO
13 THE HUBBARD BASED COURSE?

14 MR. ELSTEAD: OBJECTION. AMBIGUOUS.

15 THE WITNESS: MY RECOLLECTION IS THAT UP TO THAT
16 TIME, SHE WAS DOING FINE, AND WAS -- SHE DID NOT SAY
17 ANYTHING ABOUT PRIOR COMPLAINTS.

18 BY MS. REMMERS: Q. DID SHE TELL YOU ANYTHING
19 ELSE OTHER THAN THIS VERBAL ABUSE AND A FEELING OF BEING
20 OSTRASIZED THAT HAPPENED TO HER AFTER SHE COMPLAINED?

21 A. I -- YOU KNOW, THE PICTURE I GOT WAS THAT IT WENT
22 ON FOR A LONG PERIOD OF TIME.

23 Q. HOW LONG WITH VIRGINIA SANDERS?

24 A. SOME MONTHS.

25 Q. DO YOU KNOW WHEN SHE LEFT THE COMPANY?

26 A. I DON'T RECALL RIGHT NOW. SHE PROBABLY SAID,

1 THOUGH.

2 Q. SHE TOLD YOU SHE QUIT; RIGHT?

3 A. I BELIEVE SO, YEAH.

4 Q. DID EITHER OF THEM TELL YOU THAT BEFORE THEY
5 QUIT, THEY MET WITH MARGARET SINGER?

6 A. I DON'T RECALL THAT.

7 Q. DO YOU RECALL ANYTHING ELSE VIRGINIA SANDERS OR
8 STEVEN HUNZIKER TOLD YOU IN YOUR MEETING?

9 A. AGAIN, WE WENT -- I WENT OVER WHAT I KNEW OF THE
10 MATERIALS AT THAT TIME AND ASKED THEM SOME QUESTIONS ABOUT
11 WHICH WAS WHICH, AND I CAME AWAY -- AND I CONVEYED THAT
12 OPINION TO THEM, THAT THIS WAS INDEED SCIENTOLOGY, AND THAT
13 I HAD PARTICIPATED MYSELF IN THE ORGANIZATION IN THIS TYPE
14 OF TRAINING, AND THAT I -- THAT MY PART IN THIS HAD TO DO
15 WITH WHAT HAPPENS TO A PERSON WHO IS CRITICAL OF HUBBARD IN
16 THE ORGANIZATION AND THE EXTREMES TO WHICH THE ORGANIZATION
17 WILL GO.

18 Q. SO FROM YOUR DISCUSSIONS WITH THE TWO PLAINTIFFS
19 AND THE MATERIALS THAT YOU'VE GIVEN US COPIES OF TODAY, DID
20 YOU USE THAT INFORMATION TO FORM AN OPINION ABOUT WHETHER
21 THE CHURCH OF SCIENTOLOGY HAS IN SOME WAY ACTED AGAINST THE
22 PLAINTIFFS IN THIS CASE OR MEMBERS OF THE CHURCH?

23 A. I HAVE NOT MADE THAT STATEMENT, NOR HAVE I
24 FORMED --

25 Q. AN OPINION?

26 A. NO, I HAVE NOT FORMED AN OPINION IN THAT REGARD.

1 ONLY TO THE EXTENT THAT WHAT HAPPENED IS CONSISTENT WITH THE
2 WAY SCIENTOLOGY DEALS WITH ITS PROBLEMS, AND THE FACT WAS
3 THAT SCIENTOLOGISTS, A SCIENTOLOGIST OR SCIENTOLOGISTS WERE
4 BEHIND THE ATTEMPT TO IMPLEMENT SCIENTOLOGY IN THE APPLIED
5 MATERIALS WORKPLACE.

6 Q. YOU FORMED THAT OPINION?

7 A. RIGHT, IT'S MY UNDERSTANDING --

8 Q. ON THE BASIS OF WHAT? YOUR DISCUSSIONS WITH THE
9 PLAINTIFFS?

10 A. AND THE READING OF THIS MATERIAL, AND THE
11 KNOWLEDGE THAT THE COURSES WERE BEING GIVEN BY APPLIED
12 SCHOLASTICS, WHICH IS A SCIENTOLOGY FRONT GROUP.

13 Q. WHEN YOU SAY SCIENTOLOGY FRONT GROUP, WHAT DO YOU
14 MEAN?

15 A. IT IS UNDER THE CONTROL OF SCIENTOLOGISTS. IT IS
16 RUN BY SCIENTOLOGISTS.

17 Q. I THOUGHT YOU TESTIFIED EARLIER YOU DIDN'T KNOW
18 ANYTHING ABOUT THE STRUCTURE OF APPLIED SCHOLASTICS?

19 MR. ELSTEAD: THAT MISSTATES HIS PRIOR TESTIMONY.

20 BY MS. REMMERS: Q. SO WHEN YOU SAY "UNDER THE
21 CONTROL," WHAT DO YOU BASE THAT ON?

22 A. WHEN I WAS IN THE ORGANIZATION, APPLIED
23 SCHOLASTICS WAS UNDER THE CONTROL OF THE SOCIAL COORDINATION
24 BUREAU OF THE GUARDIAN'S OFFICE.

25 Q. DO YOU KNOW WHAT IT'S UNDER NOW, IF ANYTHING?

26 A. ORGANIZATIONALLY, I'M NOT EXACTLY SURE HOW THEY

1 STRUCTURE IT. BUT THERE IS WITHIN SCIENTOLOGY ONE
2 ORGANIZATION. IT HAS ONE LEADER. AND THAT LEADER CAN ORDER
3 ANYTHING TO BE DONE IN ANY FRINGE GROUP SUCH AS NARCANON,
4 APPLIED SCHOLASTICS, CRIMANON, WHICH ARE SCIENTOLOGY FRONT
5 GROUPS, THE PURPOSE OF WHICH IS TO GET SCIENTOLOGY ACCEPTED
6 IN VARIOUS CORNERS OF THE WORLD, IN BUSINESSES, IN
7 EDUCATION, ET CETERA.

8 Q. NOW, FROM THAT UNDERSTANDING, IS THAT CORRECT,
9 YOU HAVE CONCLUDED THAT YOU BELIEVE THAT THERE WERE
10 SCIENTOLOGISTS WITHIN APPLIED MATERIALS THAT WERE TRYING TO
11 CONVERT PEOPLE; IS THAT WHAT YOU'RE SAYING? AS OPPOSED TO
12 APPLIED SCHOLASTICS THAT WAS GIVING THE COURSE?

13 A. RIGHT.

14 Q. OKAY. ARE YOU SAYING --

15 A. WHAT WE KNOW IS THAT A SCIENTOLOGIST, ACCORDING
16 TO THE TESTIMONY OF VIRGINIA, WHO WAS WORKING IN APPLIED
17 MATERIALS, TOOK HER TO A SCIENTOLOGY FACILITY, SCIENTOLOGY
18 ORGANIZATION.

19 Q. MR. ARMSTRONG, DO YOU KNOW WHETHER THAT
20 INDIVIDUAL WAS EVEN IN THE COMPANY WHEN THIS COURSE WAS
21 BEING OFFERED AND THESE EVENTS OCCURRED TO VIRGINIA SANDERS?

22 A. NO.

23 Q. WOULD THAT CHANGE YOUR OPINION?

24 A. I HAVEN'T GIVEN YOU THE OPINION THAT YOU'RE
25 LOOKING FOR YET.

26 Q. OKAY.

1 A. I'M SAYING WHAT'S KNOWN -- IS IT GUDENAS? -- THE
2 HEAD OF APPLIED SCHOLASTICS IS A SCIENTOLOGIST. THAT
3 SCIENTOLOGIST WAS IMPLEMENTING SCIENTOLOGY COURSES IN
4 APPLIED MATERIALS.

5 Q. WAS OFFERING COURSES TO APPLIED MATERIALS
6 EMPLOYEES; IS THAT WHAT YOU MEAN?

7 A. AM I RIGHT IN SAYING THAT THERE WERE SOME 115 OR
8 SO APPLIED MATERIALS PERSONNEL WHO PASSED THROUGH APPLIED
9 SCHOLASTICS COURSES IN THE PERIOD OF SOME YEARS?

10 Q. IS THAT WHAT YOU WERE TOLD?

11 A. THAT'S MY RECOLLECTION.

12 Q. OKAY, LET'S ASSUME THAT THAT'S PART OF YOUR
13 HYPOTHESIS.

14 A. OKAY.

15 Q. DO YOU THEN CONCLUDE THAT BECAUSE APPLIED
16 MATERIALS PURCHASED COURSE WORK FROM APPLIED SCHOLASTICS,
17 THEREFORE THERE MUST HAVE BEEN SCIENTOLOGISTS WITHIN APPLIED
18 MATERIALS TRYING TO RECRUIT OTHER SCIENTOLOGISTS FROM WITHIN
19 THE ORGANIZATION?

20 A. NO, I'M NOT MAKING THAT CONCLUSION.

21 Q. SO AS FAR AS YOU KNOW, YOU DON'T KNOW ONE WAY OR
22 ANOTHER WHETHER THERE WERE SCIENTOLOGISTS WITHIN APPLIED
23 MATERIALS THAT WERE TRYING TO RECRUIT ONE WAY OR ANOTHER?

24 A. DON'T KNOW.

25 Q. SO LET ME SEE IF I CAN SUMMARIZE WHAT YOU EXPECT
26 TO TESTIFY ABOUT AS AN EXPERT HERE.. YOU EXPECT TO TESTIFY

1 THAT THE MATERIALS THAT YOU'VE BEEN SHOWN THAT WERE GIVEN BY
2 APPLIED SCHOLASTICS OR OTHER HUBBARD BASED MATERIALS WERE
3 SOME OF THE MATERIALS, WERE MATERIALS YOU SAW PERSONALLY IN
4 THE ORGANIZATION; CORRECT?

5 A. RIGHT.

6 Q. YOU ALSO EXPECT TO TESTIFY THAT THE
7 SCIENTOLOGISTS ARE VINDICTIVE AND HAVE A FAIR GAME POLICY
8 THAT CAN WORK TO PEOPLE'S DETRIMENT IF THEY COMPLAIN;
9 CORRECT?

10 A. RIGHT.

11 Q. AND YOU EXPECT TO TESTIFY ABOUT WHAT ELSE? THOSE
12 ARE THE TWO THINGS THAT I'VE GOTTEN DOWN SO FAR.

13 WHAT ELSE HAVE YOU BEEN REQUESTED TO TESTIFY
14 ABOUT AND HAVE AGREED TO TESTIFY ABOUT AND FEEL COMPETENT TO
15 TESTIFY ABOUT, IF ANYTHING?

16 A. I THINK IF YOU SIMPLY BROADEN THOSE TWO AREAS
17 OUT, YOU HAVE MY AREAS OF EXPERTISE.

18 Q. WELL, BROADEN THEM OUT IN WHAT WAY?

19 MR. ELSTEAD: WELL, THAT'S UP TO YOU TO DO.

20 MS. REMMERS: NO, IT'S NOT UP TO ME.

21 MR. ELSTEAD: IT IS. IT IS.

22 THE WITNESS: I JUST DON'T WANT TO BE LIMITED.

23 MS. REMMERS: THE PROBLEM IS, I'VE NOT BEEN GIVEN
24 AN ANSWER ABOUT WHAT HE'S BEEN ASKED TO TESTIFY ABOUT.

25 MR. ELSTEAD: NO, WHAT YOU DID WAS TRAP YOURSELF
26 BY TRYING TO SUMMARIZE A WHOLE DAY'S DEPOSITION, AND THE

1 SUMMARY WAS INADEQUATE, AND NOW YOU'RE ASKING ABOUT IT.

2 MS. REMMERS: HE'S TESTIFIED NOBODY, NOT YOU OR
3 CO-COUNSEL, HAS ASKED HIM TO TESTIFY ABOUT ANYTHING. I'M
4 HAVING TO EXTRAPOLATE ABOUT WHAT HE THINKS HE'S GOING TO
5 TESTIFY ABOUT. I WAS ATTEMPTING TO SUMMARIZE THAT HE IS
6 GOING TO TESTIFY ABOUT THE VINDICTIVE NATURE OF THE CHURCH
7 AND WHAT THEY DO TO PEOPLE WHO COMPLAIN IN BROAD TERMS, AND
8 THE SECOND THING, HE HAS SEEN SOME OF THIS COURSE WORK WHEN
9 HE WAS A CHURCH MEMBER BEFORE 1981.

10 THE WITNESS: RIGHT, AND THAT THE COURSES ARE
11 SCIENTOLOGY.

12 BY MS. REMMERS: Q. THEY'RE SCIENTOLOGY
13 RELIGION?

14 A. THAT THEY ARE SCIENTOLOGY.

15 Q. ARE THEY RELIGIOUS TEACHINGS, MR. ARMSTRONG?

16 A. NO, BUT THAT SCIENTOLOGY CLAIMS THAT THEY ARE
17 SCRIPTURES.

18 Q. SO DO THE SCIENTOLOGISTS THEMSELVES IN YOUR
19 OPINION BELIEVE THAT THESE ARE RELIGIOUS TEACHINGS, THE
20 DOCUMENTS WE'VE JUST EXAMINED HERE, THE SUCCESS THROUGH
21 COMMUNICATION COURSE, HOW TO INCREASE EFFICIENCY IN YOUR
22 COMPANY COURSE PACK, AND THE OTHER MATERIALS THAT WE LOOKED
23 AT, WHICH YOU HAVE IN FRONT OF YOU NOW, THE KEY TO EFFECTIVE
24 COMPREHENSION, ET CETERA?

25 A. THE SCIENTOLOGISTS WILL STATE THAT THEY BELIEVE
26 WHAT THEY ARE TOLD TO STATE. WHAT SCIENTOLOGIST LEGAL

1 REPRESENTATIVES HAVE STATED IS THAT THE MATERIALS WHICH YOU
2 HAVE PRESENTED TO ME AS BEING FROM APPLIED SCHOLASTICS ARE
3 SCRIPTURES.

4 Q. OKAY, I'M ASKING YOU FOR YOUR EXPERT
5 OPINION . . .

6 A. YES.

7 Q. . . . AS SOMEBODY WHO WAS WITHIN THE
8 ORGANIZATION. LET ME START WITH YOUR BELIEF.

9 WHEN YOU WERE IN THE ORGANIZATION AND SAW SIMILAR
10 MATERIALS, DID YOU BELIEVE THEM TO BE RELIGIOUS IN NATURE?

11 A. NO.

12 Q. DO YOU BELIEVE THEM -- DO YOU BELIEVE THAT OTHERS
13 WITHIN THE ORGANIZATION EVEN TODAY BELIEVE THAT THE
14 MATERIALS THAT ARE REPRESENTED HERE, IN SUCCESS THROUGH
15 COMMUNICATION, ET CETERA, ARE RELIGIOUS IN NATURE AS OPPOSED
16 TO TECHNOLOGY OR OTHER WRITINGS?

17 A. YOU'RE MAKING A DISTINCTION THERE WHICH IS NOT
18 WITHIN SCIENTOLOGY TO BE MADE.

19 Q. YOU'RE SAYING --

20 A. WHAT SCIENTOLOGY CLAIMS IS THAT TECHNOLOGY IS --
21 IS RELIGION, AND THAT THEY HAVE A RELIGIOUS TECHNOLOGY, AND
22 THAT THEIR POLICIES REGARDING THREE BASKET SYSTEMS, HOW TO
23 WASH YOUR CAR, FAIR GAME, COMMITTEES OF EVIDENCE, ATTACK THE
24 ATTACKER, ARE SCRIPTURES.

25 Q. SO ARE YOU SAYING THAT THE PEOPLE WHO ARE NOW
26 SCIENTOLOGISTS IN THE ORGANIZATION, THEY TRULY BELIEVE THAT

1 THESE MATERIALS ARE SCRIPTURE AND RELIGIOUS, THE MATERIALS
2 WE'RE TALKING ABOUT?

3 A. I WILL SAY THIS: THAT THE PEOPLE AT THE TOP OF
4 THE ORGANIZATION MAKE THE CLAIM FOR ALL THE ORGANIZATION
5 THAT THOSE MATERIALS WHICH I JUST DESCRIBED, WHICH INCLUDE
6 HOW TO STUDY, HOW TO MANAGE A COMPANY, THAT THOSE ARE
7 SCRIPTURES.

8 Q. OKAY, SO LET ME SUMMARIZE THEN. WHAT YOU'RE
9 SAYING IS -- DOES SCRIPTURE EQUATE TO RELIGIOUS MATERIAL?
10 IT'S RELIGIOUS DOCTRINE OF THE CHURCH OF SCIENTOLOGY?

11 A. LET ME GIVE YOU AN EXAMPLE SO THAT PERHAPS YOU
12 CAN UNDERSTAND. EVEN THOUGH YOU MAY CALL AN ORDER TO GO OUT
13 AND KILL A DOG SCRIPTURE, IT DOES NOT MAKE IT SCRIPTURE, NOR
14 DOES IT MAKE IT RELIGIOUS. NEVERTHELESS, THE PERSON SO
15 ORDERING CAN SAY THAT HIS ORDER TO KILL THE DOG IS A
16 SCRIPTURE.

17 SO DOES SOMEONE BELIEVE THAT? NO, THEY CARRY IT
18 OUT, AND IF HE SAYS IT'S A SCRIPTURE, THEY WILL CALL IT
19 SCRIPTURE. THEY WILL NOT QUESTION IT, AND THEY WILL NOT GO
20 THROUGH THE PROCESS NECESSARY TO CONSIDER IT A BELIEF. IT
21 ISN'T A BELIEF.

22 Q. OKAY, SO IF I UNDERSTAND YOU CORRECTLY, WHAT
23 YOU'RE SAYING IS, THE CHURCH CALLS ALL OF THESE WRITINGS
24 SCRIPTURE?

25 A. RIGHT.

26 Q. BUT THEY DON'T BELIEVE THAT IT'S RELIGIOUS IN

1 NATURE; IS THAT CORRECT?

2 A. BELIEF IS NOT A PART OF SCIENTOLOGY.

3 Q. OKAY. THE INDIVIDUALS WHO WILL SAY THAT THIS
4 MATERIAL IS SCRIPTURE, ACCORDING TO YOU, WILL THEY SAY THE
5 MATERIAL IS RELIGIOUS AND SACRED?

6 MR. ELSTEAD: OBJECTION. CALLS FOR SPECULATION.
7 HE CAN'T KNOW THAT. HE CAN'T TESTIFY ABOUT WHAT SOMEBODY
8 ELSE MIGHT SAY.

9 MS. REMMERS: HE'S THE EXPERT. HE'S BEEN
10 TALKING --

11 MR. ELSTEAD: DOESN'T MEAN HE'S GOD. HE CAN'T
12 SIT HERE AND SAY IF JOE BLOW IS ASKED THIS QUESTION TOMORROW
13 OR SIX MONTHS FROM NOW, WHAT THEY WILL SAY.

14 MS. REMMERS: I'LL GO BACK AND HAVE HIS ANSWER
15 READ. HE SAID THAT --

16 MR. ELSTEAD: ALL HE CAN DO IS EXPLAIN TO YOU
17 WHAT SCRIPTURE IS AND WHAT IN HIS OPINION THE STATUS OF
18 RELIGION IS IN THE SYSTEM AND THE ORGANIZATION OF
19 SCIENTOLOGY.

20 MS. REMMERS: HE'S STARTED TO TALK ABOUT WHAT
21 PEOPLE SAY ABOUT IT.

22 MR. ELSTEAD: ASKING HIM WHAT PEOPLE SAID ABOUT
23 IT AND WHAT THEY MIGHT SAY IN THE FUTURE ARE TWO DIFFERENT
24 THINGS.

25 BY MS. REMMERS: Q. IF I UNDERSTAND YOUR
26 TESTIMONY CORRECTLY, IT'S YOUR BELIEF THAT THE CHURCH SAYS

1 THAT ALL OF THIS MATERIAL IS SCRIPTURE AND MAKES NO
2 DISTINCTION BETWEEN RELIGIOUS TEACHINGS AND NON-RELIGIOUS
3 TEACHINGS; CORRECT?

4 A. CORRECT.

5 Q. HAVE YOU EVER SEEN ANYWHERE WHERE THE CHURCH OR
6 ANY ORGANIZATION USING HUBBARD MATERIALS HAS MADE A
7 DISTINCTION BETWEEN HUBBARD'S TECHNICAL WRITING AND HIS
8 RELIGIOUS OFFERINGS?

9 A. THAT QUESTION DOESN'T MAKE SENSE BECAUSE WHAT
10 THEY CALL TECHNICAL WRITINGS ARE RELIGIOUS OFFERINGS,
11 ALTHOUGH THE CONCEPT RELIGIOUS OFFERINGS IS NOT A PART OF
12 SCIENTOLOGY.

13 Q. MY QUESTION, MR. ARMSTRONG, IS THIS:

14 HAVE YOU EVER SEEN THE CHURCH OR ANY ORGANIZATION
15 THAT USES HUBBARD-BASED MATERIALS MAKE A DISTINCTION BETWEEN
16 RELIGIOUS WRITINGS OF L. RON HUBBARD AND NON-RELIGIOUS
17 WRITINGS?

18 MR. ELSTEAD: OBJECTION. COMPOUND AND AMBIGUOUS.

19 THE WITNESS: YOU'RE SAYING WITHIN THE
20 ORGANIZATION, DO THEY MAKE A DISTINCTION BETWEEN RELIGIOUS
21 WRITINGS AND NON-RELIGIOUS WRITINGS?

22 BY MS. REMMERS: Q. RIGHT.

23 A. THE ONLY DISTINCTION THAT I HAVE SEEN MADE IS
24 BETWEEN HUBBARD'S FICTION AND HIS NON-FICTION. AND THE
25 NON-FICTION IS WHAT THEY DESIGNATE SCRIPTURE. THEY DON'T
26 CALL HIS SCIENCE FICTION WRITINGS SCRIPTURE.

1 Q. DOES, ACCORDING TO YOUR UNDERSTANDING, DOES ALL
2 OF THE WRITINGS OF L. RON HUBBARD THAT, AS YOU SAY, ARE
3 SCRIPTURE, DOES IT ALL CARRY EQUAL WEIGHT IN THE CHURCH? IN
4 OTHER WORDS, IS IT JUST AS SACRED, ONE WRITING AS ANOTHER?

5 A. THERE IS WITHIN THAT BODY THAT THEY CALL
6 SCRIPTURE, A HIERARCHY OF POLICY, POLICY, PROGRAM, PLAN,
7 PROJECT, ORDER. THERE'S A HIERARCHY WITHIN WHAT THEY CALL
8 SCRIPTURE, AND THAT POLICY CANNOT BE INVALIDATED BY AN
9 ORDER, FOR EXAMPLE, AND THAT A HUBBARD POLICY IS SENIOR TO A
10 BOARD POLICY.

11 Q. OKAY. AND --

12 A. NOW, YOU'LL NOTICE THAT IN SOME OF THESE THINGS,
13 THERE'S A REFERENCE TO BOARD POLICIES. AND A BOARD POLICY
14 IS A POLICY INITIATED BY THE BOARD OF DIRECTORS OF THE
15 CHURCH OF SCIENTOLOGY, SO THEY SAY. IT'S A COVER FOR
16 SOMEBODY. BUT IN ANY CASE, THOSE BOARD POLICIES ARE JUNIOR
17 TO A HUBBARD POLICY BUT IT'S ALL SCRIPTURE.

18 DOES THAT MAKE SENSE?

19 Q. NOW, WHEN YOU SAY "SCRIPTURE," AND I THINK, AS
20 YOU TESTIFIED, THAT WORD WAS USED BEFORE YOU LEFT THE CHURCH
21 OF SCIENTOLOGY, WAS IT YOUR UNDERSTANDING BEFORE YOU LEFT
22 THE CHURCH OF SCIENTOLOGY THAT SCRIPTURE EQUATED WITH
23 RELIGIOUS TEACHING; IN OTHER WORDS, SCRIPTURE IS IDENTICAL
24 TO RELIGIOUS TEACHING?

25 A. I UNDERSTOOD BY THE TIME I HEARD THE USE OF THE
26 TERM "SCRIPTURE," WHEN I WAS NEAR THE END OF MY PERIOD

1 INSIDE SCIENTOLOGY, THAT IT WAS YET ANOTHER SCAM WHICH WAS
2 BEING RUN ON THE WORLD AT LARGE IN ORDER TO DEFEND HUBBARD'S
3 AND THE ORGANIZATION'S TORTIOUS ACTIVITIES AGAINST ITS OWN
4 MEMBERS AND AGAINST PEOPLE ON THE OUTSIDE.

5 AND AS A JUSTIFICATION FOR ITS ABHORRENT AND
6 ANTISOCIAL POLICIES, THEY DECIDED WE WILL CALL THESE THINGS
7 SCRIPTURES. THEN WE WILL BE ABLE TO HIDE THOSE ABHORRENT
8 POLICIES A LITTLE BIT BECAUSE, AFTER ALL, THERE'S FREEDOM OF
9 RELIGION. SO NO ONE CAN QUESTION THE TRUTH OR VALIDITY OF
10 THE POLICY BECAUSE IT'S RELIGIOUS SCRIPTURE. IT'S A SCAM.

11 Q. OKAY. SO THE ANSWER TO MY QUESTION IS THAT
12 SCRIPTURE DID EQUATE WITH RELIGION, RELIGIOUS TEACHINGS?

13 MR. ELSTEAD: THAT'S NOT WHAT HE SAID.

14 * MS. REMMERS: HE JUST SAID SCRIPTURE -- IS THAT
15 ONE AND THE SAME AS -- I'M TRYING TO DEFINE SO WE DON'T PASS
16 A WORD WITHOUT UNDERSTANDING.

17 THE WITNESS: SO SCRIPTURE IS, AS SCIENTOLOGY
18 USES THE WORD SCRIPTURE, IS A COVER GIVEN TO HUBBARD'S
19 POLICIES.

20 BY MS. REMMERS: Q. OKAY. WHICH YOU'RE SAYING,
21 IN YOUR OPINION, THEY'RE NOT RELIGION OR RELIGIOUS POLICIES,
22 BUT THERE'S THIS SCAM TO CALL THEM RELIGIOUS POLICIES?

23 A. RIGHT.

24 Q. BY CALLING THEM SCRIPTURE?

25 A. RIGHT.

26 Q. OKAY. AND THAT BEGAN SOMEWHERE WHEN? IN 1980?

1 A. OH, THAT WAS JUST A PIECE -- YOU WON'T FIND THE
2 WORD "SCRIPTURES" IN SCIENTOLOGY LITERATURE UP UNTIL 1981,
3 '82, '83 PERIOD.

4 Q. AND YOU WERE GONE BY THEN; ISN'T THAT RIGHT?

5 A. RIGHT, IT BEGAN TO COME IN AS I WAS GOING OUT,
6 AND IT WAS ANOTHER PIECE OF THE SCAM.

7 Q. SO SINCE DECEMBER OF 1981, WHEN YOU LEFT; RIGHT?

8 A. RIGHT.

9 Q. YOU DON'T HAVE ANY PERSONAL KNOWLEDGE REALLY OF
10 HOW SCIENTOLOGISTS VIEW HUBBARD'S WRITINGS AT THE MOMENT
11 OTHER THAN WHAT YOU'VE READ; CORRECT?

12 A. RIGHT, WHAT I'VE READ.

13 MS. REMMERS: OKAY. WE ARE NOT OBVIOUSLY GOING
14 TO BE ABLE TO FINISH, AND I HAVE TO HAVE HIM COME BACK.

15 MR. ELSTEAD: JUST A TWO-MINUTE BREAK BEFORE YOU
16 GO, AND THEN I'LL TALK TO YOU IN JUST A MOMENT.

17 (MR. ELSTEAD CONFERRED WITH THE WITNESS)

18 (5-MINUTE RECESS)

19 MR. ELSTEAD: YOU MIGHT WANT TO ASK HIM AGAIN
20 ABOUT WHAT I HAD ASKED HIM TO TESTIFY TO ABOUT. HE
21 MISUNDERSTOOD YOUR QUESTION HAVING TO DO WITH THAT
22 PARTICULAR CONVERSATION, THE ONE MEETING THAT WE HAD. HE
23 THOUGHT WHEN YOU ASKED THAT QUESTION, YOU WERE STILL
24 REFERRING TO THE FIRST MEETING THAT I HAD WITH HIM ABOUT
25 THIS CASE AT THE COFFEE SHOP IN BERKELEY.

26 BY MS. REMMERS: Q. LET ME ASK YOU WHAT

1 MR. ELMSTEAD JUST TALKED WITH YOU ABOUT IN YOUR
2 APPROXIMATELY FIVE-MINUTE CONVERSATION OUT IN THE HALL?

3 A. HE THOUGHT THAT YOU GOT A WRONG IMPRESSION FROM
4 AN ANSWER THAT I GAVE, AND THAT WAS REGARDING THE MEETING AT
5 OLIVETO'S, WHERE I SAID, AT THAT TIME, THAT IN MY ASSESSMENT
6 AT HAVING TALKED TO THE PLAINTIFFS, THAT I FELT THAT MY
7 AREAS OF EXPERTISE WERE --

8 Q. I THOUGHT YOU HAD TALKED TO THE PLAINTIFFS AFTER
9 YOU HAD THIS MEETING WITH MR. ELSTEAD?

10 MR. ELSTEAD: NO, THAT'S NOT WHAT HE TESTIFIED
11 TO.

12 BY MS. REMMERS: Q. YOU TESTIFIED THE FIRST
13 THING HAPPENED --

14 A. NO, HAVING TALKED TO RUMMONDS, RIGHT, AND
15 UNDERSTANDING WHAT THE CASE WAS TO THAT TIME, THAT I WOULD
16 TESTIFY AS TO THOSE TWO AREAS. ONE --

17 Q. RIGHT.

18 ONE WHAT?

19 A. OKAY, ONE ABOUT SCIENTOLOGY PRACTICES, ABOUT FAIR
20 GAME, ABOUT WHAT HAPPENS TO SOMEONE WHO BECOMES CRITICAL OF
21 THE ORGANIZATION.

22 TWO, THAT THIS WAS SCIENTOLOGY, SCIENTOLOGY
23 COURSES, WHICH APPLIED SCHOLASTICS WAS ATTEMPTING TO HAVE
24 IMPLEMENTED INSIDE APPLIED MATERIALS.

25 Q. YOU TOLD MR. ELSTEAD YOU WOULD TESTIFY TO THOSE
26 TWO THINGS?

1 A. RIGHT.

2 Q. DID HE ASK YOU TO TESTIFY TO ANYTHING IN
3 ADDITION?

4 A. RIGHT.

5 Q. WHAT -- AND THIS IS WHAT HE JUST TOLD YOU OUT IN
6 THE HALL?

7 MR. ELSTEAD: NO, THAT'S A MISREPRESENTATION.
8 WHEN I WENT OUT IN THE HALL WITH HIM, IT WAS TO CLARIFY A
9 MISIMPRESSION.

10 YOU ASKED HIM, WHAT HAD I ASKED HIM TO TESTIFY
11 ABOUT? AND IN RESPONSE TO YOUR QUESTION, HE MISUNDERSTOOD
12 IT AS REFERRING ONLY TO THE CONVERSATION WE HAD AT THE
13 COFFEE SHOP.

14 I HAD ASKED HIM OTHER THINGS. SO THAT YOU WON'T
15 BE MISLED ABOUT WHAT HE'S GOING TO TESTIFY AT TRIAL, I SAID,
16 "PLEASE EXPLAIN TO HER."

17 BY MS. REMMERS: Q. WHAT OTHER THINGS ARE YOU
18 GOING TO TESTIFY ABOUT?

19 A. THAT IS THE PURPOSE OF THE COURSES WHICH APPLIED
20 SCHOLASTICS TAUGHT, ATTEMPTED TO TEACH, IMPLEMENT IN APPLIED
21 MATERIALS. THE COURSES ARE INTRODUCTORY INDOCTRINATION
22 COURSES. THEY PROGRAM ONE TO BE A SCIENTOLOGIST.

23 THE PRODUCT OF THE -- WHAT WAS CALLED THE HUBBARD
24 APPRENTICE SCIENTOLOGIST COURSE, OR THE H.A.S. COURSE, OR
25 THE COMMUNICATION COURSE, IS A SCIENTOLOGIST. SO THE
26 TR'S --

1 Q. IS THAT WRITTEN SOMEWHERE?

2 A. YEAH.

3 Q. WHERE?

4 A. IN HUBBARD'S BULLETINS.

5 Q. WHAT BULLETIN?

6 A. BULLETIN CONCERNING THE H.A.S. COURSE, BUT I CAN
7 FIND THAT IN THE RED VOLUMES.

8 Q. IN THE WHAT VOLUMES?

9 A. RED.

10 Q. ARE THOSE IN YOUR POSSESSION?

11 A. SOME OF THEM, YEAH. TECHNICAL VOLUMES.

12 HUBBARD DIVIDED UP SCIENTOLOGY INTO THE HUNZIKER
13 COB'S, HUBBARD'S COMMUNICATIONS OFFICE BULLETINS, AND
14 HCOL'S, HUBBARD COMMUNICATION OFFICE LETTERS. ONE WAS
15 ADMINISTRATIVE TECHNOLOGY, ONE WAS AUDITING TECHNOLOGY.
16 BOTH OF THEM ARE CONSIDERED FOR LEGAL PURPOSES BY THE
17 ORGANIZATION SCRIPTURES.

18 BUT THE TR, GOING BACK TO THAT, BOTH OF THOSE
19 COURSES, ONE, THE ADMINISTRATIVE ONE, THE MISUNDERSTOOD
20 WORDS, THOSE INDOCTRINATE ONE TO BECOME A SCIENTOLOGIST.

21 Q. AND THIS IS IN THIS RED VOLUME THAT IS CURRENTLY
22 IN YOUR POSSESSION, THAT YOU PLAN TO REVIEW, TO PULL OUT, TO
23 FORM YOUR OPINION OR TO SUPPORT YOUR OPINION; IS THAT RIGHT?

24 YOU TESTIFIED EARLIER THAT YOU HAD SOME DOCUMENTS
25 IN YOUR POSSESSION YOU WERE PLANNING TO REVIEW?

26 A. RIGHT.

1 Q. AND THAT'S AMONG THEM?

2 A. RIGHT.

3 Q. WELL, LET ME ASK YOU SOMETHING.

4 WHEN YOU WERE TALKING TO STEVEN HUNZIKER AND
5 VIRGINIA SANDERS, DID STEVEN TELL YOU THAT HE RECEIVED SOME
6 KIND OF DOCUMENT IN THE MAIL, ANONYMOUS? DID THAT COME UP
7 AT ALL?

8 A. I HAVE A RECOLLECTION OF IT. I DON'T RECALL THE
9 DESCRIPTION OF IT, BUT YOU COULD REFRESH MY MEMORY.

10 Q. LIKE A 1-PAGE DOCUMENT THAT SAID SOMETHING, "YOU
11 CAN BE REFORMED --"?

12 A. YEAH.

13 Q. DID YOU TALK ABOUT THAT AT ALL?

14 A. HE JUST MENTIONED, MENTIONED THAT HE HAD RECEIVED
15 IT.

16 Q. DID YOU FORM AN OPINION ABOUT WHETHER THAT WAS A
17 SCIENTOLOGY TECHNIQUE, TO SEND THAT KIND OF THING TO
18 SOMEONE?

19 A. NO. THAT IS, I DIDN'T FORM AN OPINION.

20 Q. HAVE YOU EVER SEEN A SCIENTOLOGIST SEND A
21 DOCUMENT SAYING YOU CAN BE REFORMED TO SOMEBODY WHO HAS
22 DISSENTED?

23 A. I HAVE NO KNOWLEDGE.

24 Q. OKAY, OBVIOUSLY, WE'RE NOW AT FIVE AFTER 5:00 AND
25 I HEAR FOR THE FIRST TIME THAT ONE OF THE THINGS YOU'RE
26 GOING TO TESTIFY TO IS THE PURPOSE OF THE COURSES TAUGHT BY

1 APPLIED SCHOLASTICS?

2 A. I ACTUALLY HAD GONE INTO THIS SOMETIME EARLIER IN
3 THE DEPOSITION, BUT MR. ELSTEAD DID BRING THAT TO MY
4 ATTENTION.

5 Q. IS THERE ANYTHING ELSE THAT YOU HAVE AGREED TO
6 TESTIFY ABOUT . . .

7 A. (WITNESS SHAKES HEAD)

8 Q. . . . THAT YOU HAVE FORGOTTEN?

9 A. NO.

10 Q. THERE'S A LOT MORE WE NEED TO GO INTO, OBVIOUSLY.
11 YOU TESTIFIED, FOR INSTANCE, THAT YOU ARE PLANNING TO
12 TESTIFY ABOUT SCIENTOLOGY PRACTICES; YOU MENTIONED FAIR
13 GAME. I DON'T KNOW WHAT OTHER PRACTICES.

14 CAN YOU LIST FOR ME WHAT OTHER PRACTICES YOU PLAN
15 TO TESTIFY ABOUT?

16 A. THERE ARE A LOT OF -- FAIR GAME IS A STATEMENT OF
17 A DOCTRINE FROM WHICH FLOW A LOT OF PRACTICES. BUT BLACK
18 PR --

19 Q. LET ME STOP YOU. ARE ALL THE PRACTICES YOU
20 INTEND TO TESTIFY ABOUT PRACTICES THAT RELATE TO SOMEBODY --
21 PRACTICES THAT RELATE TO SOMEBODY IF THEY OBJECT TO
22 SCIENTOLOGY?

23 A. RIGHT, THOSE PEOPLE WHO OBJECT TO SCIENTOLOGY.
24 SO BLACK PR IS ONE OF THOSE. IT APPEARS THAT HUNZIKER WAS
25 THE TARGET OF A BLACK PR CAMPAIGN WITHIN APPLIED MATERIALS.

26 Q. AND THAT'S BASED UPON YOUR DISCUSSIONS WITH HIM?

19
1 A. RIGHT.

2 Q. HAVE YOU TALKED TO ANYBODY WHO HAS ANY OTHER
3 FACTS?

4 A. NO.

5 Q. HAVE YOU READ ANY OF THE DEPOSITION TESTIMONY OF
6 ANY OF THE DEFENDANTS IN THIS CASE?

7 A. NO.

8 Q. ANY OF THE DEFENDANT MANAGERS?

9 A. NO.

10 Q. OF ANY OF THE PEOPLE WHO WERE ACTUALLY TALKING
11 WITH STEVEN HUNZIKER IN THIS PERIOD OF TIME, TRYING TO GET
12 HIM TO DO HIS WORK?

13 A. NO.

14 Q. OKAY, WE'RE GOING TO OBVIOUSLY HAVE TO CONTINUE.
15 CERTAINLY.

16 WHEN DO YOU EXPECT TO HAVE COMPLETED YOUR
17 ANALYSIS AND REVIEW SO I CAN HAVE A FAIR UNDERSTANDING OF
18 YOUR OPINIONS AND WHAT YOU'VE BASED THEM ON?

19 A. OKAY, TWO WEEKS. I HAVE A TRIP WHICH I HAVE TO
20 TAKE BETWEEN NOW AND THEN, AT WHICH -- AND UPON WHICH, MY
21 RETURN FROM THAT TRIP, I WILL HAVE EVERYTHING READY.

22 MS. REMMERS: WE'LL BE BEYOND THE CUT OFF. WE
23 NEED TO PREPARE FOR --

24 MR. ELSTEAD: YOU'LL BE ALLOWED TO --

25 MS. REMMERS: THAT'S NOT MY ISSUE.

26 MR. ELSTEAD: YOU'RE GOING TO GET TO PREPARE FOR

1 TRIAL. YOU ASKED HIM A LOT OF QUESTIONS TODAY. I DON'T
2 THINK YOU HAVE A FREE DAY TO DO HIM ANYWAY. BY THE END OF
3 NEXT WEEK, HE'LL HAVE THE STUFF TOGETHER AND YOU CAN TAKE
4 HIS DEPOSITION AND FINISH IT. YOU'RE OBVIOUSLY NOT FINISHED
5 WITH HIM, EVEN WITH THAT.

6 MS. REMMERS: I MIGHT STAY AND FINISH, KEEP HIM
7 HERE, IF WE COULD DO THAT, BUT HE HASN'T DONE HIS
8 FUNDAMENTAL WORK AS FAR AS I CAN TELL.

9 OKAY. WELL, YOU SAY TWO WEEKS?

10 THE WITNESS: YEAH.

11 MS. REMMERS: OKAY. WE'LL MAKE ARRANGEMENTS.

12 MR. ELSTEAD: YOU'RE GOING TO HAVE TO DO THAT AS
13 FAST AS YOU CAN. SHE'S RIGHT, YOU'VE GOT TO DO THIS.

14 THE WITNESS: RIGHT, I KNOW.

15 MR. ELSTEAD: WHEN YOU DO IT, YOU HAVE TO LET ME
16 KNOW, AND WE'LL GET IT PUT TOGETHER.

17 THE WITNESS: I CAN.

18 MS. REMMERS: OFF THE RECORD.

19 (DISCUSSION OFF THE RECORD)

20 (THE DEPOSITION WAS ADJOURNED AT 5:15 P.M. AND
21 WAS CONTINUED TO FEBRUARY 12, 1992)

--000--

I HAVE READ THE FOREGOING DEPOSITION. THE
ANSWERS TO THE QUESTIONS ARE TRUE OF MY OWN KNOWLEDGE. I
DECLARE UNDER THE PENALTY OF PERJURY, THAT THE FOREGOING
DEPOSITION IS TRUE AND CORRECT.

SIGNATURE OF WITNESS.

DATE OF SIGNATURE.

--000--

() THE DEPONENT FAILED TO APPEAR IN ORDER TO APPROVE OR
SIGN HIS/HER DEPOSITION.

() THE DEPONENT REFUSED TO APPROVE OR SIGN HIS/HER
DEPOSITION FOR THE FOLLOWING REASON: _____

() THE DEPONENT APPROVED HIS/HER DEPOSITION BY THE
LETTER ATTACHED HERETO AND MADE A PART OF THE DEPOSITION
HEREIN.

--000--

1 STATE OF CALIFORNIA)
2) SS.
3 COUNTY OF SONOMA)

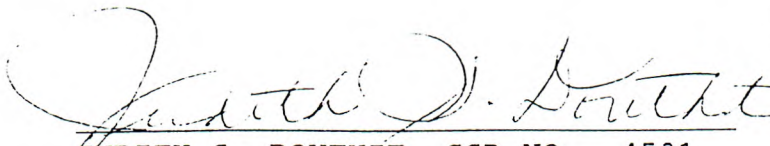
4 I, JUDITH S. DOUTHIT, A CERTIFIED SHORTHAND
5 REPORTER, NO. 4531, LICENSED BY THE STATE OF CALIFORNIA,
6 EMPOWERED TO ADMINISTER OATHS AND AFFIRMATIONS PURSUANT TO
7 SECTION 2093(B) OF THE CODE OF CIVIL PROCEDURE, DO HEREBY
8 CERTIFY THAT

9 GERALD ARMSTRONG,

10
11 A WITNESS IN THE FOREGOING DEPOSITION, WAS BY ME DULY SWORN
12 TO TESTIFY THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE
13 TRUTH IN THE WITHIN-ENTITLED CAUSE; THAT SAID TESTIMONY OF
14 SAID WITNESS WAS REPORTED BY ME, A DISINTERESTED PERSON, AND
15 WAS THEREAFTER TRANSCRIBED UNDER MY DIRECTION INTO
16 TYPEWRITING.

17 I FURTHER CERTIFY THAT I AM NOT OF COUNSEL OR
18 ATTORNEY FOR EITHER OR ANY OF THE PARTIES IN THE FOREGOING
19 DEPOSITION AND CAPTION NAMED, NOR IN ANY WAY INTERESTED IN
20 THE OUTCOME OF THE CAUSE NAMED IN SAID CAPTION.

21
22 DATED THE 9TH DAY OF FEBRUARY 1992.

23
24
25 
26 JUDITH S. DOUTHIT, CSR NO. 4531

DOUTHIT & BARBALACCI
CERTIFIED SHORTHAND REPORTERS
(415) 543-1775
(707) 573-3082

FEBRUARY 12, 1992

GERALD ARMSTRONG
711 SIR FRANCIS DRAKE BOULEVARD
SAN ANSELMO, CA 94960

RE: STEVEN HUNZIKER, ET AL. VS. APPLIED MATERIALS, INC., ET
AL.

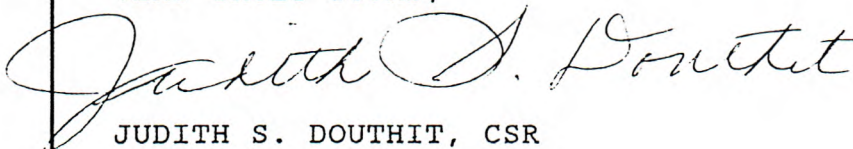
DEAR MR. ARMSTRONG:

YOUR DEPOSITION TAKEN IN THE ABOVE MATTER HAS
BEEN TRANSCRIBED. THIS DEPOSITION WILL BE AVAILABLE AT OUR
OFFICE FOR READING AND SIGNING BY YOU FOR A PERIOD OF 35
DAYS, AFTER WHICH TIME THE ORIGINAL WILL BE SEALED AND SENT
TO THE OFFICES WHICH NOTICED THE DEPOSITION, IN ACCORDANCE
WITH SECTION 2025 (S) (1) OF THE CALIFORNIA CODE OF CIVIL
PROCEDURE.

IF IT IS MORE CONVENIENT FOR YOU, YOU MAY READ
YOUR ATTORNEY'S COPY OF THE DEPOSITION.

PLEASE DON'T HESITATE TO CALL OUR OFFICE IF YOU
HAVE ANY QUESTIONS.

VERY TRULY YOURS,



JUDITH S. DOUTHIT, CSR

CC: ALL COUNSEL